

Page 1 of 7

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0493-AIR-E **TCEQ ID:** RN100542281 **CASE NO.:** 33070
RESPONDENT NAME: Equistar Chemicals, LP

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Channelview Complex, 8280 Sheldon Road, Channelview, Harris County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is one pending enforcement action, Docket Number 2007-1230-AIR-E, regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 10, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. Terry Murphy, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-5025; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Don Holloway, Environmental Superintendent, Equistar Chemicals, LP, 8280 Sheldon Road, Building 1, Channelview, Texas 77530 Mr. Denny W. Wiseman, Plant Manager, Equistar Chemicals, LP, 8280 Sheldon Road, Building 1, Channelview, Texas 77530 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: December 13, 2006 and January 29, 2007</p> <p>Date of NOV/NOE Relating to this Case: February 27, March 20, and April 9, 2007 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failed to demonstrate the use of a continuous monitoring recorder on the Methanol Skid (ECULR2MEOH). Specifically, the Respondent was required to continuously monitor the emissions control device for the Skid with a recorder, but the Respondent reported that the records from July 11, 2005 through September 17, 2005 were discarded [Federal Operating Permit ("FOP") O-02181, Special Terms and Conditions ("STC"), 1.A., 30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.127(b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to perform daily inspections of the fuel dispensing facilities. Specifically, the Respondent reported that, from March 3 through March 5, 2006, it failed to perform the required daily inspections of the Stage II vapor recovery system for defects [FOP O-02181, STC 6.C.iv., 30 TEX. ADMIN. CODE §§ 115.244 and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failed to provide proper emissions control for waste material. Specifically, the Respondent reported that, twice on February 27, once on August 27, 2006, it</p>	<p>Total Assessed: \$228,720</p> <p>Total Deferred: \$45,742 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$91,489</p> <p>Total Paid to General Revenue: \$91,489</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. By March 29, 2007, retrained employees on oversight of the continuous monitoring recorder on the Methanol Skid (ECULR2MEOH);</p> <p>b. By April 19, 2006, reviewed with its personnel the proper procedures for the daily inspection of the fuel dispensing facilities;</p> <p>c. By October 26, 2006, provided proper emissions control for waste materials and reviewed with its personnel the proper procedures for waste handling;</p> <p>d. By April 19, 2006, reviewed with its personnel the restrictions on engine operating hours;</p> <p>e. By April 19, 2006, reviewed with its personnel the proper record keeping requirements for the start and stop time for diesel engines;</p> <p>f. On January 18, 2006, installed a steam stripper upstream of the ECUABEAST bio-treatment unit that eliminated the further need to test the unit for VOC reduction efficiency;</p> <p>g. By November 19, 2007, in order to address the untimely flare analyzer calibrations conducted on Flares 607 and 1701, resolved calibration gas issues with the supplier;</p> <p>h. On November 14, 2006, provided additional personnel training on the regulatory requirements of open-ended lines in VOC service;</p> <p>i. By March 27, 2006, replaced the open-ended lines discovered on January 12 and March 27, 2006;</p> <p>j. By June 11, 2006, decreased nitrogen flow and reapplied clearing activities at a slower pace in order to maintain the</p>

<p>placed volatile organic compound ("VOC") liquids, residuals from a transport vessel transfer operation, into portable containers that were not vapor-tight [FOP O-02181, STC 1.A. and 6.B.ii., 30 TEX. ADMIN. CODE §§ 115.212(a)(3)(A)(ii) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4) Failed to comply with restrictions on engine operating hours in an ozone nonattainment area. Specifically, the Respondent reported that, on four occasions from October 19 through November 9, 2005, it conducted testing or maintenance on two diesel engines (EUTP803A and EUTP803B) during the restricted hours of 6 a.m. to noon [FOP O-02181, STC 1.A. and 7.A., 30 TEX. ADMIN. CODE §§ 117.206(i) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5) Failed to record the start and stop times of a diesel engine operating in an ozone nonattainment area. Specifically, the Respondent reported that it failed to record those times on November 17, 2005 for diesel pump EUTEN1 [FOP O-02181, STC 1.A. and 7.E., 30 TEX. ADMIN. CODE §§ 117.219(f)(10) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6) Failed to demonstrate VOC reduction efficiency for the ECUABEAST bio-treatment unit. Specifically, this unit was in operation since 1997, and was required to have its reduction efficiency demonstrated by December 31, 2002, but the Respondent failed to make that demonstration [FOP O-02181, STC 1.A., 30 TEX. ADMIN. CODE § 115.144(4)(A), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>7) Failed to timely conduct flare analyzer calibrations. Specifically, the Respondent reported that it was required to perform initial flare analyzer calibrations on Flares 607 and 1701 (highly reactive volatile organic compounds abatement devices) by January 1, 2006, but did not perform those calibrations until June 16, 2006 [30 TEX. ADMIN. CODE § 115.725(d)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>8) Failed to comply with the requirements of malfunction reporting for the wastewater steam stripper (EUTT8802). Specifically, in its report for the period</p>	<p>required heat input to the Poly Butadiene unit flare at a value greater than 300 Btu/scf;</p> <p>k. By September 13, 2006, implemented new record keeping practices on a more frequent weekly basis detailing all corrective actions made to the continuous monitoring system for the Poly Butadiene unit flare;</p> <p>l. By June 28, 2006, conducted a multi-point calibration on the Poly Butadiene unit flare analyzer;</p> <p>m. On April 16, 2007, submitted an update for FOP O-02177 to include EPN MPBDM3219;</p> <p>n. By October 27, 2005, conducted sampling and gathered information to completely document the VOC water separator exemption criteria;</p> <p>o. By February 19, 2006, repaired the leaking valve that had been on the schedule for repair during the December 22, 2005 to February 1, 2006 shutdown;</p> <p>p. Revised FOP O-02178 on April 3, 2006, to include Permits by Rule ("PBR") claimed during the year 2000;</p> <p>q. Removed the vent condenser on tank TK-2810 and rerouted emissions to the IPOH Flare on April 27, 2007 and authorized those emissions via PBR;</p> <p>r. Completed the installation of rupture discs and pressure gauges on three safety relief valves (EPN F28E00) in the Styrene Maleic Anhydride Unit by February 17, 2006;</p> <p>s. Submitted a request to the TCEQ on September 20, 2006 to amend NSRP 24677 to address emissions and representations for Tote EPN 28E37;</p> <p>t. Obtained an alteration to NSRP No. 24677 on December 6, 2005 that allows closed purge cumene sampling;</p> <p>u. Provided for additional personnel oversight of Heater MSMHT2801B's fuel flow continuous recorder by September 18, 2006; and</p> <p>v. Replaced the filter on Dust Collector EPN28E29 on August 15, 2006.</p>
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<p>April 1 to September 30, 2006, the Respondent reported that, on June 25, 2006, and between July 17 and August 7, 2006, seven stripper column malfunctions occurred. However, the Respondent failed to state the cause of the malfunctions and failed to state what actions were taken to minimize emissions [40 CFR § 63.10(d)(5)(i), TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>9) Failed to equip open ended lines with a cap, blind flange, plug, or a second valve. Specifically, the Respondent reported that it found the following noncompliant, open-ended lines: one on the main flare header, three on other lines in VOC service, and eight others on lines in hazardous air pollutant service. These were found on November 15, 2005, February 13, 2006, and August 27, 2006, respectively, and all were provided with caps or plugs within a day of their discovery [FOP O-02181, STC 1.A. and 22., New Source Review Permit ("NSRP" 2128, Special Condition ("SC") 8.E., 30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 115.352(4), 116.115(c), and 122.143(4), 40 CFR §§ 60.482-6(a)(2) and 63.167(a)(1), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>10) Failed to cap four open-ended lines. Specifically, the Respondent discovered 3 open-ended lines on January 12, 2006, and 1 open-ended line on March 27, 2006 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 8.E., FOP O-02177, STC 1.A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>11) Failed to operate the flare within the required heat input of 300 British thermal units per standard cubic foot ("Btu/scf"). Specifically, the heat content of the combusted gas in the Poly Butadiene unit flare fell below 300 Btu/scf for six minutes on November 30, 2005, twenty-two minutes on October 21, 2005, one minute on March 6, 2006, and two minutes on June 11, 2006 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 6.A., FOP O-02177, STC 1.A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>12) Failed to report corrective actions within the required time frame. Specifically, the Respondent failed to complete Highly Reactive Volatile Organic Compound ("HRVOC") corrective action reports for the Poly Butadiene unit flare</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit a corrected malfunction report for the seven wastewater steam stripper (EUTT8802) malfunctions that occurred on June 25, 2006, and between July 17 and August 7, 2006;</p> <p>b. Within 30 days after the effective date of this Agreed Order, either obtain authorization to increase emissions from tote EPN 28E37, or cease unauthorized emissions from that tote until such time that appropriate authorization is obtained;</p> <p>c. Within 30 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices that address the root cause of the failure to control visible emissions from Dust Collector EPN28E29; and</p> <p>d. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. through 2.c.</p>
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within the required time frame on six occasions from March 29 to July 18, 2006 [30 TEX. ADMIN. CODE §§ 115.726(d)(3) and 122.143(4), FOP O-02177, STC 1.J.(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

13) Failed to calibrate the Poly Butadiene unit flare analyzer. Specifically, the Respondent failed to conduct initial and first quarter multipoint calibration of the flare analyzer for HRVOCs from January 1 to June 28, 2006 [30 TEX. ADMIN. CODE §§ 115.725(d)(2) and 122.143(4), FOP O-02177, STC No. 1J(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

14) Failed to obtain authorization for emissions sources and their associated emissions prior to operation. Specifically, Emission Point Number ("EPN") MPBDM3219 had been operating but was misrepresented in FOP O-02177 in an incorrect location [30 TEX. ADMIN. CODE § 122.121 and TEX. HEALTH & SAFETY CODE §§ 382.085(b) and 382.054].

15) Failed to comply with permitted emissions limits. Specifically, emissions for the year 2005 at the Mid API Separator (EPN 32E06) were 4.6 tons of VOC. The authorized emissions limit for emissions under the permit is 2.2 tons per year [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), NSRP 49120, SC 1., FOP O-02177, STC 10., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

16) Failed to maintain sufficient records to demonstrate continuous compliance with VOC water separator exemption criteria [30 TEX. ADMIN. CODE §§ 115.136(a)(1) and 122.143(4), FOP O-02177, STC 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

17) The Respondent failed to repair a leaking valve during a scheduled shutdown. Specifically, the Respondent failed to make scheduled repairs of a valve during the scheduled shutdown from December 22, 2005 through February 1, 2006 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 8.I., FOP O-02177, STC 1.A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

18) Failed to include PBR claims in a FOP. Specifically, the Respondent reported that it failed to include the following Unit ID numbers, authorized under PBR during the year 2000, in its

<p>FOP: MSMTK2804A, MSMTK2804B, MSMTK2812, MSMTK2801, MSMTK2803, MSMTK2811, MSMTK2802, MSMDM2801, MSMDM2805, MSMDM2802, MSMTK2824, and MSMFG [FOP O-02178, General Terms and Conditions, 30 TEX. ADMIN. CODE § 122.132(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>19) Exceeded permitted emissions limits for tank TK-2810. Specifically, the permit limits VOC emissions from that tank to 0.04 pounds per hour ("lbs/hr") and less than 0.01 tons per year ("tpy"), but the Respondent reported the VOC emissions from the tank at 4.2 lbs/hr and 14 tpy since July 15, 2005. In addition, the Respondent reported that it had failed to achieve the required 90% control efficiency on the vent condenser on that tank [FOP O-02178, STC, 1.A. and 10., NSRP 24677, SC 1., 30 TEX. ADMIN. CODE §§ 115.112(a)(3), 116.115(c), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>20) Failed to install rupture discs and pressure gauges on three safety relief valves (EPN F28E00) in the Styrene Maleic Anhydride Unit [FOP O-02178, STC 10., NSRP 24677, SC 11.F. and 13., 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>21) Failed to accurately represent operating temperatures for tote EPN 28E37 in the permit representations. Specifically, subsequent to the permit representation of the tote's temperature, the Respondent elected to represent a higher temperature without amending the permit [FOP O-02178, STC 10., 30 TEX. ADMIN. CODE §§ 116.116(b)(1) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>22) Failed to perform closed loop cumene sampling. Specifically, the permit requires closed loop sampling, and on six occasions from July 20, 2005 through December 5, 2005, the Respondent reported it did not perform closed loop sampling [FOP O-02178, STC 10., NSRP 24677, SC 9.C., 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>23) Failed to maintain continuous records of fuel flow for Heater MSMHT2801B. Specifically, on April 8 and 9, 2006, the Respondent reported that the record of</p>		
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<p>flow was not kept for fifteen 15-minute periods [FOP O-02178, STC 1.A., 30 TEX. ADMIN. CODE §§ 117.213(a) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>24) Failed to prevent visible emissions from Dust Collector EPN28E29. Specifically, the Respondent reported that the dust collector experienced 100% opacity for approximately ten minutes on August 15, 2006 [FOP O-02178, STC 3., 30 TEX. ADMIN. CODE §§ 111.111(a)(1)(B) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): HG0033B

Attachment A
Docket Number: 2007-0493-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Equistar Chemicals, LP

Payable Penalty Amount: One Hundred Eighty-Two Thousand Nine Hundred Seventy-Eight Dollars (\$182,978)

SEP Amount: Ninety-One Thousand Four Hundred Eighty-Nine Dollars (\$91,489)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Equistar Chemicals, LP
Agreed Order – Attachment A

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

DATES	Assigned	5-Mar-2007	Screening	22-Mar-2007	EPA Due	24-Nov-2007
	PCW	28-Nov-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Equistar Chemicals, LP
Reg. Ent. Ref. No.	RN100542281
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	33070	No. of Violations	8	
Docket No.	2007-0493-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Terry Murphy	
Multi-Media		EC's Team	4	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$13,700
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	302% Enhancement	Subtotals 2, 3, & 7	\$41,374
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Notes

The penalty was enhanced due to two previous 1660 style orders, one findings order, thirty-nine NOVs for similar violations, and twenty-four NOVs for dissimilar violations. Additionally, the penalty was reduced due to six NOAs.

Culpability

No

0% Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

0% Reduction

Subtotal 5

\$0

Before NOV NOV to EDP RP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

The Respondent does not meet the good faith criteria.

0% Enhancement*

Subtotal 6

\$0

Total EB Amounts

\$853

Approx. Cost of Compliance

\$12,250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$55,074

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

\$55,074

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$55,074

DEFERRAL

20%

Reduction

Adjustment

-\$11,014

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$44,060

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	39	195%
	Other written NOVs	24	48%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 302%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The penalty was enhanced due to two previous 1660 style orders, one findings order, thirty-nine NOVs for similar violations, and twenty-four NOVs for dissimilar violations. Additionally, the penalty was reduced due to six NOAs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 302%

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review Permit ("NSRP") 22779, Special Condition ("SC") 8.E., Federal Operating Permit ("FOP") O-02177, Special Terms and Conditions ("STC") 1. and 10., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to cap four open-ended lines. Specifically, the Respondent discovered 3 open-ended lines on January 12, 2006, and 1 open-ended line on March 27, 2006, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which would not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

2 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$10,050

This violation Final Assessed Penalty (adjusted for limits) \$10,050

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$250	12-Jan-2006	27-Mar-2006	0.2	\$3	n/a	\$3
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is based on the earliest date of violation and Final Date is the date of compliance (date the last open-ended line was capped).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$3

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSRP 22779, SC 6.A., FOP O-02177, STC 1.A. and 10., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to operate the flare within the required heat input of 300 British thermal units per standard cubic foot ("Btu/scf"). Specifically, the heat content of the combusted gas in the Poly Butadiene Unit flare fell below 300 Btu/scf for 6 minutes on November 30, 2005, 22 minutes on October 21, 2005, 1 minute on March 6, 2006, and 2 minutes on June 11, 2006, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants which would not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

4 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended based on the one flare.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$89

Violation Final Penalty Total \$4,020

This violation Final Assessed Penalty (adjusted for limits) \$4,020

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	21-Oct-2005	11-Jun-2006	0.6	\$4	\$85	\$89
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to add supplemental fuel to the flares to ensure that the flares are operated with a combustible gas that has 300 Btu/scf or greater. Date required is based on the earliest documentation of the deviation. Final date is the date compliance was achieved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$89

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 115.726(d)(3) and 122.143(4), FOP O-02177, STC 1.J.(ii), and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to report corrective actions within the required time frame. Specifically, the Respondent failed to complete Highly Reactive Volatile Organic Compound ("HRVOC") corrective action reports for the Poly Butadiene Unit flare within the required time frame on six occasions from March 29 to July 18, 2006, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 6

6 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$600

Six single events are recommended based on the violation days.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$2,412

This violation Final Assessed Penalty (adjusted for limits) \$2,412

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 33070
Reg. Ent. Reference No.: RN100542281
Media: Air
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$1,000	29-Mar-2006	13-Sep-2006	0.5	\$23	n/a	\$23
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper record keeping practices are followed. Date required is based on the earliest documentation of the violation. Final date is the date compliance was achieved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$23

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 115.725(d)(2) and 122.143(4), FOP O-02177, STC 1.J.(ii), and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to calibrate the Poly Butadiene Unit flare analyzer. Specifically, the Respondent failed to conduct initial and first quarter multipoint calibration of the flare analyzer for HRVOCs from January 1 to June 28, 2006, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants which would not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 2

178 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,000

Two single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$49

Violation Final Penalty Total \$8,040

This violation Final Assessed Penalty (adjusted for limits) \$8,040

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 33070
Reg. Ent. Reference No. RN100542281
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$2,000	1-Jan-2006	28-Jun-2006	0.5	\$49	n/a	\$49
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the earliest date of non-compliance and Final Date is the date of compliance (date multi-point calibration occurred).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$49

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 122.121 and Tex. Health & Safety Code §§ 382.085(b) and 382.054

Violation Description

Failed to obtain authorization for emissions sources and their associated emissions prior to operation. Specifically, Emission Point No. ("EPN") MPBDM3219 had been operating but was misrepresented in Federal Operating Permit O-02177 in an incorrect location, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
			X

Percent 1%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

945 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$231

Violation Final Penalty Total \$402

This violation Final Assessed Penalty (adjusted for limits) \$402

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,500	19-Aug-2004	16-Sep-2007	3.1	\$231	n/a	\$231
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to revise the permit. Date Required is the date the emissions source should have been authorized when the initial permit was issued. Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$231

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 6

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and 122.143(4), NSRP 49120, SC 1, FOP O-02177, STC 10, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with permitted emissions limits. Specifically, emissions for the year 2005 at the Mid API Separator (EPN 32E06) were 4.6 tons of volatile organic compounds ("VOCs"). The authorized emissions limit for emissions under the permit is 2.2 tons per year, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which would not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	X
	single event	

Violation Base Penalty \$2,500

One annual event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$427

Violation Final Penalty Total \$10,050

This violation Final Assessed Penalty (adjusted for limits) \$10,050

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No.: 33070
 Reg. Ent. Reference No.: RN100542281
 Media: Air
 Violation No.: 6

Percent Interest	Years of Depreciation
6.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	n/a	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	1-Jan-2005	1-Jun-2008	3.4	\$171	n/a	\$171
Other (as needed)	\$1,500	1-Jan-2005	1-Jun-2008	3.4	\$256	n/a	\$256

Notes for DELAYED costs

Estimated cost for amending the permit and additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the earliest date of non-compliance and Final Date is the date of prospective compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$427

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 7

Rule Cite(s)

30 Tex. Admin. Code §§ 115.136(a)(1) and 122.143(4), FOP O-02177, STC 1.A., and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain sufficient records to demonstrate continuous compliance with VOC
water separator exemption criteria, as documented during an investigation conducted on
December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix
Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

	1	68	Number of violation days
mark only one with an x	daily		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$10,050

This violation Final Assessed Penalty (adjusted for limits) \$10,050

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No: 33070
 Reg. Ent. Reference No: RN100542281
 Media: Air
 Violation No: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$1,000	20-Aug-2005	27-Oct-2005	0.2	\$9	n/a	\$9
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper record keeping practices are followed. Date Required is the earliest date of non-compliance and Final Date is the date of compliance (date sampling occurred and record keeping was commenced).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$9

Screening Date 22-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 8

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSRP 22779, SC 8.I., FOP O-02177, STC 1.A. and 10., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to repair a leaking valve during a scheduled shutdown. Specifically, the Respondent failed to make scheduled repairs of a valve during the scheduled shutdown from December 22, 2005 through February 1, 2006, as documented during an investigation conducted on December 13, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which would not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

	1	41	Number of violation days
mark only one with an x	daily		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

Violation Base Penalty \$2,500

One quarterly event is recommended based on the violation dates.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$10,050

This violation Final Assessed Penalty (adjusted for limits) \$10,050

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No: 33070
 Reg. Ent. Reference No: RN100542281
 Media: Air
 Violation No: 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment	\$2,000	22-Dec-2005	19-Feb-2006	0.2	\$1	\$22	\$23
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure scheduled repairs are made. Date Required is the earliest date of non-compliance and Final Date is the date of compliance.

Avoided Costs

ANNUALIZE (1) avoided costs before entering Item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance (2)				0.0	\$0	\$0	\$0
ONE-TIME avoided costs (3)				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$23

Compliance History

Customer/Respondent/Owner-Operator:	CN600124705	Equistar Chemicals, LP	Classification: AVERAGE	Rating: 2.55
Regulated Entity:	RN100542281	CHANNELVIEW COMPLEX	Classification: AVERAGE	Site Rating: 2.25
ID Number(s):				
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0033B	
	AIR OPERATING PERMITS	PERMIT	1426	
	AIR OPERATING PERMITS	PERMIT	2174	
	AIR OPERATING PERMITS	PERMIT	2175	
	AIR OPERATING PERMITS	PERMIT	2176	
	AIR OPERATING PERMITS	PERMIT	2177	
	AIR OPERATING PERMITS	PERMIT	2178	
	AIR OPERATING PERMITS	PERMIT	2179	
	AIR OPERATING PERMITS	PERMIT	2180	
	AIR OPERATING PERMITS	PERMIT	2181	
	AIR OPERATING PERMITS	PERMIT	2182	
	AIR OPERATING PERMITS	PERMIT	2183	
	AIR OPERATING PERMITS	PERMIT	2184	
	AIR OPERATING PERMITS	PERMIT	2185	
	WASTEWATER	PERMIT	WQ0000391000	
	WASTEWATER	PERMIT	TPDES0003531	
	WASTEWATER	PERMIT	TX0003531	
	AIR NEW SOURCE PERMITS	PERMIT	1768	
	AIR NEW SOURCE PERMITS	PERMIT	2128	
	AIR NEW SOURCE PERMITS	PERMIT	2933	
	AIR NEW SOURCE PERMITS	PERMIT	2935	
	AIR NEW SOURCE PERMITS	PERMIT	2936	
	AIR NEW SOURCE PERMITS	PERMIT	3130A	
	AIR NEW SOURCE PERMITS	PERMIT	3294	
	AIR NEW SOURCE PERMITS	PERMIT	3627	
	AIR NEW SOURCE PERMITS	PERMIT	6245	
	AIR NEW SOURCE PERMITS	PERMIT	6387	
	AIR NEW SOURCE PERMITS	PERMIT	8123	
	AIR NEW SOURCE PERMITS	PERMIT	8125	
	AIR NEW SOURCE PERMITS	PERMIT	10586	
	AIR NEW SOURCE PERMITS	PERMIT	10700	
	AIR NEW SOURCE PERMITS	PERMIT	10812	
	AIR NEW SOURCE PERMITS	PERMIT	11735	
	AIR NEW SOURCE PERMITS	PERMIT	12334	
	AIR NEW SOURCE PERMITS	PERMIT	13849	
	AIR NEW SOURCE PERMITS	PERMIT	15348	
	AIR NEW SOURCE PERMITS	PERMIT	12341	
	AIR NEW SOURCE PERMITS	PERMIT	22779	
	AIR NEW SOURCE PERMITS	PERMIT	23079	
	AIR NEW SOURCE PERMITS	PERMIT	24677	
	AIR NEW SOURCE PERMITS	PERMIT	24887	
	AIR NEW SOURCE PERMITS	PERMIT	30868	
	AIR NEW SOURCE PERMITS	PERMIT	32324	
	AIR NEW SOURCE PERMITS	PERMIT	32136	
	AIR NEW SOURCE PERMITS	PERMIT	32629	
	AIR NEW SOURCE PERMITS	PERMIT	33899	
	AIR NEW SOURCE PERMITS	PERMIT	34036	
	AIR NEW SOURCE PERMITS	PERMIT	34897	
	AIR NEW SOURCE PERMITS	PERMIT	38750	
	AIR NEW SOURCE PERMITS	PERMIT	42948	
	AIR NEW SOURCE PERMITS	PERMIT	43770	
	AIR NEW SOURCE PERMITS	PERMIT	45332	
	AIR NEW SOURCE PERMITS	PERMIT	46417	
	AIR NEW SOURCE PERMITS	PERMIT	47326	
	AIR NEW SOURCE PERMITS	PERMIT	47487	
	AIR NEW SOURCE PERMITS	PERMIT	50141	
	AIR NEW SOURCE PERMITS	PERMIT	50142	
	AIR NEW SOURCE PERMITS	PERMIT	50165	
	AIR NEW SOURCE PERMITS	PERMIT	50322	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0033B	
	AIR NEW SOURCE PERMITS	PERMIT	50812	
	AIR NEW SOURCE PERMITS	PERMIT	52720	
	AIR NEW SOURCE PERMITS	PERMIT	52726	
	AIR NEW SOURCE PERMITS	PERMIT	54098	
	AIR NEW SOURCE PERMITS	REGISTRATION	54602	
	AIR NEW SOURCE PERMITS	PERMIT	54801	
	AIR NEW SOURCE PERMITS	PERMIT	55104	
	AIR NEW SOURCE PERMITS	PERMIT	55669	
	AIR NEW SOURCE PERMITS	AFS NUM	4820100075	
	AIR NEW SOURCE PERMITS	REGISTRATION	56137	
	AIR NEW SOURCE PERMITS	PERMIT	PSDTX991	
	AIR NEW SOURCE PERMITS	PERMIT	70201	

AIR NEW SOURCE PERMITS	REGISTRATION	70323
AIR NEW SOURCE PERMITS	PERMIT	49120
AIR NEW SOURCE PERMITS	PERMIT	49130
AIR NEW SOURCE PERMITS	REGISTRATION	76017
AIR NEW SOURCE PERMITS	REGISTRATION	75881
AIR NEW SOURCE PERMITS	REGISTRATION	76313
AIR NEW SOURCE PERMITS	REGISTRATION	76277
AIR NEW SOURCE PERMITS	PERMIT	71143
AIR NEW SOURCE PERMITS	PERMIT	70203
AIR NEW SOURCE PERMITS	PERMIT	54063
AIR NEW SOURCE PERMITS	PERMIT	51727
AIR NEW SOURCE PERMITS	PERMIT	55680
AIR NEW SOURCE PERMITS	REGISTRATION	72713
AIR NEW SOURCE PERMITS	PERMIT	72755
AIR NEW SOURCE PERMITS	REGISTRATION	72948
AIR NEW SOURCE PERMITS	REGISTRATION	72946
AIR NEW SOURCE PERMITS	REGISTRATION	73859
AIR NEW SOURCE PERMITS	REGISTRATION	74051
AIR NEW SOURCE PERMITS	REGISTRATION	74110
AIR NEW SOURCE PERMITS	REGISTRATION	74162
AIR NEW SOURCE PERMITS	REGISTRATION	74181
AIR NEW SOURCE PERMITS	REGISTRATION	74366
AIR NEW SOURCE PERMITS	REGISTRATION	74374
AIR NEW SOURCE PERMITS	PERMIT	74385
AIR NEW SOURCE PERMITS	REGISTRATION	74416
AIR NEW SOURCE PERMITS	REGISTRATION	74563
AIR NEW SOURCE PERMITS	REGISTRATION	74944
AIR NEW SOURCE PERMITS	REGISTRATION	74949
AIR NEW SOURCE PERMITS	REGISTRATION	75322
AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	REGISTRATION	76651
AIR NEW SOURCE PERMITS	REGISTRATION	76666
AIR NEW SOURCE PERMITS	REGISTRATION	76693
AIR NEW SOURCE PERMITS	REGISTRATION	76778
AIR NEW SOURCE PERMITS	REGISTRATION	76791
AIR NEW SOURCE PERMITS	REGISTRATION	77318
AIR NEW SOURCE PERMITS	REGISTRATION	77619
AIR NEW SOURCE PERMITS	REGISTRATION	77640
AIR NEW SOURCE PERMITS	REGISTRATION	77631
AIR NEW SOURCE PERMITS	REGISTRATION	78024
AIR NEW SOURCE PERMITS	REGISTRATION	78069
AIR NEW SOURCE PERMITS	REGISTRATION	78108
AIR NEW SOURCE PERMITS	REGISTRATION	78114
AIR NEW SOURCE PERMITS	REGISTRATION	78128
AIR NEW SOURCE PERMITS	REGISTRATION	78173
AIR NEW SOURCE PERMITS	REGISTRATION	78191
AIR NEW SOURCE PERMITS	REGISTRATION	78197
AIR NEW SOURCE PERMITS	REGISTRATION	78252
AIR NEW SOURCE PERMITS	REGISTRATION	78278
AIR NEW SOURCE PERMITS	REGISTRATION	78343
AIR NEW SOURCE PERMITS	REGISTRATION	78381
AIR NEW SOURCE PERMITS	REGISTRATION	78560
AIR NEW SOURCE PERMITS	REGISTRATION	78772
AIR NEW SOURCE PERMITS	REGISTRATION	78819
AIR NEW SOURCE PERMITS	REGISTRATION	78978
AIR NEW SOURCE PERMITS	REGISTRATION	78599
AIR NEW SOURCE PERMITS	PERMIT	72756
AIR NEW SOURCE PERMITS	REGISTRATION	79261
AIR NEW SOURCE PERMITS	REGISTRATION	79431
AIR NEW SOURCE PERMITS	REGISTRATION	79460
AIR NEW SOURCE PERMITS	REGISTRATION	79647
AIR NEW SOURCE PERMITS	REGISTRATION	79712
AIR NEW SOURCE PERMITS	REGISTRATION	79892
AIR NEW SOURCE PERMITS	REGISTRATION	79938
AIR NEW SOURCE PERMITS	REGISTRATION	80296
AIR NEW SOURCE PERMITS	REGISTRATION	80137
AIR NEW SOURCE PERMITS	REGISTRATION	80449
AIR NEW SOURCE PERMITS	REGISTRATION	80597
AIR NEW SOURCE PERMITS	REGISTRATION	80689
AIR NEW SOURCE PERMITS	REGISTRATION	80914
AIR NEW SOURCE PERMITS	REGISTRATION	81190
AIR NEW SOURCE PERMITS	REGISTRATION	81189
AIR NEW SOURCE PERMITS	REGISTRATION	81543
AIR NEW SOURCE PERMITS	REGISTRATION	81636
AIR NEW SOURCE PERMITS	REGISTRATION	81630
AIR NEW SOURCE PERMITS	REGISTRATION	81716
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD058275769
GENERATION		
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30030
GENERATION		

INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
UNDERGROUND INJECTION CONTROL	PERMIT	WDW036
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011578
WATER LICENSING	LICENSE	1011578
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30030

Location: 8280 SHELDON RD BLDG 1, CHANNELVIEW, TX, 77530 Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 27, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 27, 2002 to April 27, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Bryan Elliott Phone: 239-6162

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/02/2002 ADMINORDER 2001-1516-AIR-E
Classification: Moderate

Citation: 40 CFR Part 61, Subpart FF 61.342(c)(1)(ii)
40 CFR Part 61, Subpart FF 61.343(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions as a result of a spill from a permitted tank.

Effective Date: 04/13/2003 ADMINORDER 1999-1410-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to have the required vapor recovery system or submerged fill pipe at the time of inspection on Tank No. 6901 in VOC service.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to keep copies of each marine vessel's certification of annual vapor tightness tests for

marine loading operations at the Plant.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(F)
30 TAC Chapter 115, SubChapter D 115.356(3)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain calibration records for VOC monitoring instruments for two years. Calibration records from the first, second and fourth quarters of 1997 and the first quarter of 1998 were unavailable.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT W 61.275(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit results of seal inspections for Tanks 3111A, 3111B, 3113 and 4916 w/i 60 days after Equistar completed the seal inspections on April 21 thru April 27, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart Kb 60.115b(b)(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a seal inspection report for Tank No. 4922 and Tank No. 33 within 60 days of inspection.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)[G]
30 TAC Chapter 115, SubChapter D 115.355(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)
40 CFR Part 60, Subpart VV 60.482-2[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
40 CFR Part 61, Subpart V 61.242-7(a)
40 CFR Part 61, Subpart V 61.245(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly monitor fugitive emissions for several units, including the Olefins Plant I and Tank Farm, Olefins Plant II and Tank Farm, Butadiene Plants E and W, Barge Dock, Benzene/Toluene Unit, East Tank Farm, LMTBE Unit and the MeOH Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to perform seal gap measurements on Tanks TK-26, TK-3115, TK-3112, and TK-4921 on an annual basis in 1998.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification as required by Standard Exemption 106 (effective August 25, 1986) when the 1200 Unit was modified to produce a new product.

Effective Date: 12/02/2006

ADMINORDER 2006-0515-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: S.C. 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions from an aboveground storage tank pressure safety valve.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	05/22/2002	(1339)
2	05/22/2002	(1314)
3	05/23/2002	(156277)
4	06/05/2002	(2105)
5	06/10/2002	(2233)
6	06/12/2002	(1611)
7	06/24/2002	(2701)
8	06/24/2002	(156281)
9	06/24/2002	(2914)
10	07/19/2002	(5534)
11	07/19/2002	(5345)
12	07/19/2002	(4814)
13	07/19/2002	(4569)
14	07/23/2002	(156285)
15	07/31/2002	(5089)
16	08/01/2002	(4981)
17	08/02/2002	(6606)
18	08/06/2002	(7028)
19	08/06/2002	(7144)
20	08/06/2002	(7204)
21	08/06/2002	(7234)
22	08/07/2002	(7141)
23	08/08/2002	(2391)
24	08/09/2002	(2626)
25	08/09/2002	(7549)
26	08/09/2002	(4157)
27	08/09/2002	(5980)
28	08/09/2002	(2387)
29	08/12/2002	(6957)
30	08/13/2002	(7700)
31	08/16/2002	(5841)
32	08/19/2002	(8124)

33	08/21/2002	(156288)
34	08/22/2002	(5939)
35	08/22/2002	(5772)
36	08/27/2002	(7197)
37	08/28/2002	(8742)
38	08/30/2002	(10526)
39	08/30/2002	(10522)
40	09/04/2002	(8299)
41	09/10/2002	(10385)
42	09/18/2002	(11434)
43	09/23/2002	(156291)
44	10/21/2002	(156294)
45	11/25/2002	(156298)
46	11/27/2002	(14344)
47	12/19/2002	(156302)
48	12/27/2002	(15704)
49	12/30/2002	(17670)
50	01/02/2003	(18051)
51	01/09/2003	(16679)
52	01/21/2003	(156306)
53	01/30/2003	(23340)
54	02/05/2003	(23369)
55	02/24/2003	(4858)
56	02/24/2003	(156266)
57	02/26/2003	(20471)
58	03/07/2003	(20710)
59	03/07/2003	(9862)
60	03/18/2003	(20944)
61	03/24/2003	(156269)
62	04/11/2003	(24878)
63	04/11/2003	(24871)
64	04/11/2003	(24868)
65	04/13/2003	(31335)
66	04/22/2003	(156274)
67	04/23/2003	(33871)
68	04/25/2003	(33319)
69	04/25/2003	(28077)
70	05/07/2003	(27054)
71	05/08/2003	(35681)
72	05/15/2003	(282930)
73	05/19/2003	(36187)
74	05/23/2003	(156278)
75	06/13/2003	(38138)
76	06/18/2003	(38117)
77	06/24/2003	(156282)
78	06/27/2003	(114332)
79	07/08/2003	(114317)
80	07/08/2003	(114279)
81	07/08/2003	(114581)
82	07/08/2003	(114388)
83	07/11/2003	(38147)
84	07/11/2003	(112449)
85	07/23/2003	(294649)
86	08/04/2003	(64101)
87	08/06/2003	(147467)
88	08/06/2003	(147338)
89	08/12/2003	(148968)
90	08/12/2003	(148934)
91	08/12/2003	(112317)
92	08/12/2003	(148923)
93	08/14/2003	(149856)
94	08/14/2003	(149867)
95	08/14/2003	(141032)
96	08/14/2003	(149824)
97	08/19/2003	(149893)
98	08/19/2003	(149887)
99	08/19/2003	(149908)
100	08/22/2003	(149977)
101	08/25/2003	(149897)
102	08/25/2003	(294651)
103	08/25/2003	(151586)
104	08/25/2003	(151756)
105	08/25/2003	(151765)
106	08/27/2003	(152697)
107	08/27/2003	(13764)

108	08/29/2003	(152195)
109	08/29/2003	(152183)
110	08/31/2003	(134179)
111	08/31/2003	(134175)
112	10/01/2003	(249301)
113	10/01/2003	(249144)
114	10/01/2003	(249012)
115	10/01/2003	(249172)
116	10/01/2003	(248879)
117	10/01/2003	(248981)
118	10/01/2003	(248243)
119	10/03/2003	(249082)
120	10/07/2003	(250145)
121	10/17/2003	(294653)
122	10/23/2003	(294655)
123	11/05/2003	(254238)
124	11/18/2003	(294656)
125	12/29/2003	(294657)
126	01/23/2004	(294658)
127	02/24/2004	(294639)
128	03/15/2004	(255945)
129	03/22/2004	(294642)
130	03/23/2004	(263250)
131	03/23/2004	(263160)
132	03/23/2004	(263194)
133	03/23/2004	(263154)
134	03/24/2004	(256278)
135	04/14/2004	(264758)
136	04/15/2004	(453160)
137	04/23/2004	(294643)
138	05/19/2004	(270464)
139	05/24/2004	(294645)
140	06/08/2004	(270126)
141	06/21/2004	(294647)
142	06/30/2004	(273943)
143	06/30/2004	(271411)
144	06/30/2004	(274359)
145	06/30/2004	(274423)
146	07/09/2004	(278834)
147	07/13/2004	(260492)
148	07/19/2004	(260586)
149	07/25/2004	(351828)
150	07/29/2004	(263469)
151	08/04/2004	(280108)
152	08/04/2004	(280174)
153	08/11/2004	(284585)
154	08/13/2004	(277268)
155	08/23/2004	(259476)
156	08/24/2004	(351829)
157	08/27/2004	(265746)
158	08/27/2004	(269133)
159	08/27/2004	(265803)
160	08/27/2004	(266244)
161	08/29/2004	(268291)
162	08/31/2004	(276264)
163	08/31/2004	(271963)
164	08/31/2004	(272796)
165	08/31/2004	(274451)
166	09/01/2004	(286398)
167	09/01/2004	(289083)
168	09/01/2004	(289240)
169	09/10/2004	(273388)
170	09/16/2004	(263553)
171	09/23/2004	(351830)
172	10/25/2004	(351831)
173	10/25/2004	(351833)
174	11/01/2004	(285942)
175	11/03/2004	(334297)
176	11/05/2004	(334314)
177	11/05/2004	(334310)
178	11/05/2004	(334308)
179	11/11/2004	(292333)
180	11/11/2004	(292452)
181	11/14/2004	(275792)
182	11/22/2004	(293289)

183	11/22/2004	(339105)
184	11/22/2004	(339107)
185	11/23/2004	(334387)
186	11/23/2004	(351832)
187	11/23/2004	(334429)
188	11/29/2004	(274800)
189	12/06/2004	(275639)
190	12/06/2004	(341908)
191	12/09/2004	(343543)
192	12/14/2004	(339112)
193	12/15/2004	(339111)
194	12/27/2004	(381708)
195	12/27/2004	(276826)
196	12/28/2004	(343601)
197	01/03/2005	(286756)
198	01/03/2005	(339113)
199	01/04/2005	(339104)
200	01/05/2005	(339108)
201	01/07/2005	(339103)
202	01/10/2005	(343232)
203	01/12/2005	(346553)
204	01/18/2005	(336265)
205	02/10/2005	(349636)
206	02/10/2005	(349316)
207	02/10/2005	(349111)
208	02/10/2005	(337111)
209	02/10/2005	(349267)
210	02/11/2005	(336418)
211	02/11/2005	(336433)
212	02/11/2005	(336438)
213	02/17/2005	(343594)
214	02/23/2005	(381706)
215	02/25/2005	(345588)
216	03/03/2005	(339106)
217	03/22/2005	(381707)
218	03/28/2005	(375234)
219	03/28/2005	(375220)
220	03/28/2005	(375212)
221	03/31/2005	(373125)
222	04/06/2005	(375076)
223	04/18/2005	(375016)
224	04/20/2005	(376147)
225	04/20/2005	(372583)
226	04/22/2005	(346277)
227	04/25/2005	(377509)
228	05/03/2005	(419501)
229	05/24/2005	(419502)
230	06/14/2005	(393497)
231	06/21/2005	(419503)
232	06/22/2005	(381407)
233	06/22/2005	(392621)
234	06/23/2005	(378466)
235	06/23/2005	(378454)
236	07/15/2005	(395098)
237	07/18/2005	(392902)
238	07/22/2005	(392487)
239	07/22/2005	(381313)
240	07/22/2005	(392651)
241	07/22/2005	(394428)
242	07/25/2005	(440656)
243	07/26/2005	(399215)
244	08/05/2005	(381400)
245	08/05/2005	(392610)
246	08/05/2005	(393207)
247	08/11/2005	(404370)
248	08/11/2005	(404367)
249	08/11/2005	(404342)
250	08/11/2005	(404321)
251	08/12/2005	(399221)
252	08/15/2005	(404957)
253	08/23/2005	(440657)
254	08/24/2005	(406415)
255	08/26/2005	(372787)
256	08/29/2005	(406161)
257	09/13/2005	(431694)

258	10/24/2005	(440658)
259	10/26/2005	(440659)
260	11/15/2005	(434603)
261	11/18/2005	(437299)
262	11/22/2005	(468155)
263	11/28/2005	(468154)
264	12/01/2005	(435325)
265	12/08/2005	(434728)
266	12/19/2005	(438915)
267	12/21/2005	(468156)
268	02/15/2006	(455481)
269	02/22/2006	(450109)
270	02/24/2006	(451477)
271	02/27/2006	(468153)
272	02/28/2006	(451452)
273	02/28/2006	(451480)
274	02/28/2006	(451788)
275	02/28/2006	(451483)
276	02/28/2006	(451494)
277	03/13/2006	(454890)
278	03/23/2006	(498017)
279	03/24/2006	(457373)
280	03/28/2006	(453139)
281	03/29/2006	(459500)
282	03/31/2006	(455940)
283	04/24/2006	(498018)
284	04/28/2006	(462755)
285	05/16/2006	(463873)
286	05/23/2006	(498019)
287	05/23/2006	(466508)
288	05/24/2006	(465260)
289	05/31/2006	(480441)
290	05/31/2006	(480422)
291	05/31/2006	(480433)
292	05/31/2006	(480405)
293	05/31/2006	(480427)
294	05/31/2006	(480444)
295	06/21/2006	(498020)
296	06/26/2006	(464019)
297	06/30/2006	(483427)
298	07/07/2006	(484895)
299	07/17/2006	(464664)
300	07/17/2006	(460500)
301	07/19/2006	(480415)
302	07/20/2006	(486401)
303	07/24/2006	(520033)
304	07/28/2006	(484749)
305	08/04/2006	(339110)
306	08/15/2006	(482128)
307	08/15/2006	(481194)
308	08/15/2006	(489890)
309	08/16/2006	(457265)
310	08/21/2006	(520034)
311	09/01/2006	(510768)
312	09/05/2006	(486742)
313	09/25/2006	(520035)
314	10/04/2006	(488324)
315	10/24/2006	(544282)
316	11/21/2006	(516667)
317	11/27/2006	(544283)
318	11/30/2006	(531615)
319	12/11/2006	(519152)
320	12/19/2006	(544284)
321	12/29/2006	(535494)
322	01/23/2007	(544285)
323	01/30/2007	(538091)
324	01/31/2007	(537102)
325	01/31/2007	(517108)
326	01/31/2007	(537091)
327	01/31/2007	(537099)
328	02/08/2007	(538420)
329	02/22/2007	(485046)
330	02/27/2007	(532597)
331	03/21/2007	(532595)
332	04/05/2007	(532607)

333 04/10/2007 (532608)
 334 04/12/2007 (541831)
 335 04/12/2007 (554839)
 336 04/23/2007 (539454)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date	06/30/2002	(156285)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	07/31/2002	(156288)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	09/30/2002	(156294)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	10/31/2002	(156298)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	01/27/2003	(15704)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]			
Description:	Failure to control emissions.			
Date	01/31/2003	(156266)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	02/10/2003	(24871)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(b)(1)			
Description:	Failure to prevent unauthorized emissions.			
Date	02/28/2003	(156269)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	03/07/2003	(9862)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.7(b)(1)(G) 30 TAC Chapter 101, SubChapter A 101.7(c)(7)			
Description:	Failure to document the actions taken to minimize emissions in both the initial and final notification records for a start-up event on 02/16/2002.			
Date	03/31/2003	(156274)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	04/11/2003	(24868)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(1)			
Description:	Failure to prevent unauthorized emissions.			
Date	04/30/2003	(156278)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	05/31/2003	(156282)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	07/31/2003	(294651)		

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	08/31/2003 (294653)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	09/30/2003 (294655)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	10/01/2003 (248879)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN: 44E10.		
Date	10/01/2003 (248243)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit.		
Date	10/01/2003 (249082)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to torque the flange properly which resulted in unauthorized emissions.		
Date	10/01/2003 (249144)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN 17E01		
Date	10/01/2003 (249301)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with permit limit for VOC, CO and NO (EPN: 48E01).		
Date	10/01/2003 (249012)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN 6E07.		
Date	10/01/2003 (249172)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]		
Description:	Failure to submit the initial report within 24 hours.		
Date	10/01/2003 (248981)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to comply with the state rule 30 TAC 116.116(a)(1) which resulted in unauthorized emissions.		
Date	02/29/2004 (294642)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/13/2004 (260492)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ AIR PERMIT #1768, SC #1		
Description:	Exceeded VOC emissions limits during an avoidable emissions event.		
Date	07/19/2004 (260586)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failed to identify the facility name in an emissions event notification.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(g)		
Description:	Equistar failed to submit an electronic final emissions event notification.		
Date	07/28/2004 (259476)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G) 5C THC Chapter 382, SubChapter A 382.085(b)		

Description: Exceeded permit limits during an avoidable emissions event.
 Date 08/11/2004 (263553)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to speciate VOC in the Initial Notification and Final Report submitted for an avoidable emissions event.

Date 08/27/2004 (265746)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
 Description: Equistar failed to properly complete and submit an emissions event notification.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded permit limits during an avoidable emissions event.
 Date 08/29/2004 (268291)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded VOC permit limit.
 Date 08/31/2004 (272796)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit administratively complete emissions event notifications.
 Date 08/31/2004 (271963)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(F)
 30 TAC Chapter 101, SubChapter F 101.211(b)(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Equistar was not in compliance with the maintenance, startup, and shutdown rules.

Date 10/31/2004 (351832)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)(G)
 Description: Failure to meet the limit for one or more permit parameter
 Date 12/27/2004 (276826)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Air Permit No. 2933, GC #8
 Description: Exceeded permit limits during an avoidable emissions event.
 Date 01/03/2005 (286756)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 22779
 Description: Equistar failed to prevent an avoidable emissions event.
 Date 01/04/2005 (339104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar failed to prevent an avoidable emissions event.
 Date 01/10/2005 (343232)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
 Description: Failure to provide an adequate ground storage capacity.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
 Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
 Date 04/20/2005 (372583)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
 Description: Equistar failed to submit the Final Report electronically.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Permit No. 22779, Special Condition No.1
 Description: Equistar failed to prevent an avoidable emissions event.
 Date 08/05/2005 (381400)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on furnace 3403.

Date 08/05/2005 (393207)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4406.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on F4410.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4401.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 3401.

Date 08/05/2005 (392610)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)

Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4404.

Date 08/10/2005 (404514)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit #2128, GC #8

Description: Failure to prevent a leak in Tower T-301.

Date 09/13/2005 (431694)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(II)

Description: Failure to provide an adequate ground storage capacity.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)

Description: Failure to provide a minimum pressure tank capacity of 220 gallons.

Date 11/18/2005 (437299)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 3130A, SC No. 4

OP 002179, ST&C No. 10

Description: Failure to operate within pumping rates of Polyols(KOH) and (IMPACT).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)(G)

Description: Failure to install the totalizing fuel flow meter on EGBVC6904.

Date 12/08/2005 (434728)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.222(k)(3)

Description: Failure to submit the off-permit notification for claiming the permit by rule for flare emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)

Description: Failure to register the PBR within 10 of increase in flare emissions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 115, SubChapter D 115.352(G)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)

Rqmt Prov: PERMIT 49130, S.C. No.5

OP O-02180, S.C No.1A

Description: Failure to follow the fugitive monitoring for 172 valves and 5 pumps in the Isopropanol Unit

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02180, SC. 1.A

Description: Failure to have required information on tags attached to visual fugitive leaks

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PERMIT 49130, SC 5.E OP O-02180, SC 1.A		
Description:	Failure to cap or plug the five open-ended lines in VOC service		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 49130, S.C 7 OP O-02180, S.C 11		
Description:	Failure to follow the procedure described in Appendix P, Section 5.5.1 for monitoring the cooling tower (CT-2401) as required by the permit condition		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A)		
Description:	Failure to report the deviations regarding the cooling tower monitoring in the deviation reports		
Date	12/19/2005 (438915)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter C 122.210(a)		
Description:	Failure to submit the federal operating permit (O-02177) minor revision application concurrent with the permit amendment issued on July 26, 2005 and permit by rules claimed in 1997 and 2002.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 22779, SC 1 OP O-02177, STC 10		
Description:	Failure to operate tanks and loading arms within maximum allowable emission rates as permitted in the NSR permit 22779.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 22779, SC 8 OP O-02177, STC 10		
Description:	Failure to initiate the fugitive monitoring for 22 valves and 3 pumps in the Polybutadiene Unit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 22779, SC 8.E OP O-02177, STC 10		
Description:	Failure to cap or plug the five open-ended lines in VOC service		
Date	12/31/2005 (440659)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/22/2006 (450109)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 24887 SC1.E OP O02176, SC 15		
Description:	Failure to cap or plug the eighty five (85) open-ended lines in VOC service		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(4) 30 TAC Chapter 122, SubChapter C 122.222(k)(3)		
Description:	Failure to register the PBRs 106.261 and 106.262 within 10 days of addition of a flare analyzer and failure to make off-permit notification concurrently.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)[G]		
Description:	Failure to represent the several sources that are subject to 30 TAC 111 rules in the Title V Operating Permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 24887, SC 1 OP O02176, SC 15		
Description:	Failure to include 19 valves and 39 connectors associated with sample systems		
	and failure to include 5 pumps, 38 valves, 104 connectors, and 4 sample points in the fugitive monitoring database.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142[G] 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O02176, SC 5		

Description: Failure to control the wastewater streams as required by 30 TAC 115.142.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(5)
 Rqmt Prov: OP 002176, SC 1.A
 Description: Failure to make the tank seal inspection notification 30 days in advance.
 Date 02/28/2006 (451788) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 Rqmt Prov: PA NSR Permit No. 8125, SC 6E
 Description: Failure to plug two open-ended-lines. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)
 Description: Failure to install fuel flow meter on Diesel Engine, P-3314. Classification: Minor
 Self Report? NO
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
 Description: Failure to include compressor information in the HON Subpart H Semiannual report.
 Self Report? NO Classification: Minor
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(a)
 Description: Failure to maintain appropriate records of 220 connectors, 6 instrument systems, 4 PSVs, 2 pumps, and 101 valves.
 Date 03/24/2006 (457373) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
 Description: Failure to provide an adequate ground storage capacity. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
 Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
 Date 03/28/2006 (453139) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA NSR Permit No 2936, SC 10E
 OP O-02182 Special Terms and Condition 15
 Description: Failed to plug 20 open-ended lines. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter C 122.222(k)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP O-02181 General Terms and Condition
 Description: The facility failed to register two tanks and one cooling tower within ten (10) days of change as required during August 19, 2004 through November 22, 2004. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP O-02182 General Terms and Condition
 Description: Failure to include compressor information in the HON Subpart H semiannual report for the reporting period from February 28, 2005 through August 19, 2005. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA Special Condition No. 10F
 OP Special Terms and Condition 15
 Description: failure to monitor 59 valves that were marked as unsafe to monitor during the third quarter of 2004 from August 19, 2004 through September 30, 2004. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP General Terms and Condition
 Description: failure to put identification number for the leaking fugitive valves during August 19, 2004 through August 19, 2005. Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Special Terms and Condition 15
 Description: failure to include 89 connectors, 27 valves, and 19 pumps in the fugitive monitoring program during the third quarter of 2004 from August 19, 2004 through September 30, 2004.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Condition
 Description: failure to obtain a permit by rule (PBR) for the emission point no. SP-4010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Conditions
 Description: failure to seal the external floating roof tank, TK-3112. The gasket on the rim vent was missing.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA SC No 1 of NSR Permit No. 2936.
 Description: OP Special Terms and Conditions 15
 failure to obtain appropriate authorization for storing hydrocarbons for the tanks, TK-3113 and TK-3114.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA Special Condition 1
 Description: OP Special Terms and Condition 15
 failure to comply with the pounds per hour of VOC emission limit for tank No. TK-4002 of TCEQ Air Permit 2936.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Conditions
 Description: failure to obtain a permit by rule (PBR) for the analyzer vent.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include all the emission authorizations for the cooling tower were not represented in the title V permit.

Date 03/29/2006 (459500)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit No. 2128
 Description: Failure to prevent the release of unauthorized emissions from a railroad tank car PSV.

Date 03/31/2006 (455940)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G]
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to represent the two sources that are subject to 30 TAC 111 rules in the Title V Operating Permit O-02175.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6245, SC 1
 Description: OP O02175, STC 10
 Failure to operate tanks (TK30 & TK31) within maximum allowable emission rates as permitted in the NSR permit 6245.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6245, SC 7.E
 Description: OP O02175, STC 10
 OP O02175, STC 1A
 Failure to cap or plug the thirty-eight (38) open-ended lines in VOC service (C5 recovery unit).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 OP 002175, STC 1A
 Rqmt Prov: OP 002175, STC 1A
 Description: Failure to equip the dimer drum feed sampling connection system with closed loop.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP 002175, STC 1A
 Description: Failure to have required information on tags attached to visual fugitive leaks
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 6245, SC 7
 OP 002175, STC 10
 OP 002175, STC 1A
 Description: Failure to include 2 pumps, 32 valves, and 103 connectors in the C5 recovery unit in fugitive monitoring database.
 Date 05/16/2006 (463873)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Permit No. 2128
 Description: Failure to prevent the release of unauthorized emissions from a leaking pipeline due to the removal of a blind.
 Date 05/24/2006 (465260)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G]
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to correctly represent the HON storage vessel provisions, HON container provisions, and 30 TAC 111 rules in the Title V Operating Permit O-02185.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart G 63.119(c)(2)(II)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02185, STC 16
 OP O-02185, STC 1A
 PERMIT Permit 6387, SC 2
 Description: Failure to equip gasket on sample hatch cover and failure to have physical fasteners on float well cover on external floating roof tank (Tank 26).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart G 63.119(b)(6)
 Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 16
 OP O-02185, STC 1A
 Description: Failure to cover all the openings on internal floating roof tanks: Tank 37 and Tank 47 and failure to have physical fasteners on float well covers on internal floating roof tanks: Tank 37, 48, and 49.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart G 63.119(b)(1)[G]
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 1.A
 OP O-02185, STC 16
 Description: Failure to keep the floating roof of Tank 47 always in contact with liquid surface during the regular operations.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 6387, SC 4.A
 OP O-02185, STC 16
 Description: Failure to obtain authorization for the emissions resulted from analyzer vents in the

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6387, SC 2 OP O-02185, STC 1.A OP O-02185, STC 16		
Description:	Failure to cap or plug the sixty-one (61) open-ended lines in VOC service in MTBE Unit.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02185, STC 1.A		
Description:	Failure to have required information on tags attached to visual fugitive leaks in the MTBE Unit.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352[G] 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)[G] 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6387, SC 5 OP O-02185, STC 1.A OP O-02185, STC 16		
Description:	Failure to include 2 valves in the MTBE Unit in fugitive monitoring database and comply with the fugitive monitoring requirements.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142[G] 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02185, SC 5		
Description:	Failure to control the one wastewater stream (T-1215) as required by 30 TAC 115.142 in MTBE Unit.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(9)		
Rqmt Prov:	PERMIT 6387, SC 2 OP O-02185, STC 1.A OP O-02185, STC 16		
Description:	Failure to make the tank seal inspection (Tank-26) notification 30 days in advance in MTBE Unit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) PERMIT 6387, SC 2 OP O-02185, STC 1.A OP O-02185, STC 16		
Description:	Failure to comply with HON process wastewater provisions for two containers in MTBE Unit.		
Date	06/26/2006 (464019)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.7(a)[G]		
Rqmt Prov:	PERMIT 00391-000		
Description:	Failure to document the sample collection time and the identify of the sample personnel for the Outfall 001 24 hour composite samples.		
Date	07/28/2006 (484749)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT No. 22779, Special Condition No. 1		
Description:	Equistar failed to prevent this emissions event		
Date	08/15/2006 (489890)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.6(c)		
Description:	Failure to update Notice of Registration		
Date	08/16/2006 (457265)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter C 115.212(a)(1)[G] 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(e) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)		

Description:	5C THC Chapter 382, SubChapter D 382.085(b) Failure to control emissions from drum D3075 and from tank TK20.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 2128, SC 10E OP O-02184, ST&C 18 OP O-02184, ST&C 1A		
Description:	Failure to cap or plug 174 open ended lines in VOC service.	Classification:	Moderate
Self Report?	NO		
Citation:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to have a Startup/Shutdown/Malfunction plan to address visible emissions from east plant flare.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02184, ST&C 1A		
Description:	Failure to conduct monthly monitoring on 4 HON pumps in January 2005.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02184, ST&C 1A		
Description:	Failure to equip a sample point with a closed loop system on reactor effluent and T1204 overhead.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02184, ST&C 1H		
Description:	Failure to have identification numbers on the fugitive leak tags attached to 51 components.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 30 TAC Chapter 122, SubChapter B 122.132(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to authorize emissions from sampling in the tank farm.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(1)[G] 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 2128, SC 10 OP O-02184, ST&C 18 OP O-02184, ST&C 1A		
Description:	Failure to include 16 pumps, 45 valves, and 292 connectors in the fugitive monitoring database.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02184, ST&C 13		
Description:	Failure to control emissions from 3 wastewater streams (D-78, D-3055, D-03102).		
Date	11/30/2006 (544284)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/01/2007 (538420)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 2933 Special Condition 1		
Description:	Failure to prevent process water collection system back-up which resulted in unauthorized emissions.		
Date	04/11/2007 (532608)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.132(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to include Polyols loading emissions in federal operating permit O-02179.		

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-02179 SC 10
PA NSR 3130A SC 10D

Description: Failure to load Styrene within the allowable rates in NSR Permit 3130A.

F. Environmental audits.

Notice of Intent Date: 05/30/2002 (32973)
No DOV Associated

Notice of Intent Date: 06/20/2002 (32977)
No DOV Associated

Notice of Intent Date: 02/03/2003 (33157)
No DOV Associated

Notice of Intent Date: 07/26/2005 (453654)
No DOV Associated

Notice of Intent Date: 10/06/2005 (434934)
No DOV Associated

Notice of Intent Date: 11/28/2006 (534269)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

DATES	Assigned	9-Apr-2007	Screening	18-Apr-2007	EPA Due	
	PCW	28-Nov-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Equistar Chemicals, LP
Reg. Ent. Ref. No.	RN100542281
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	33070	No. of Violations	7	
Docket No.	2007-0493-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Terry Murphy	
Multi-Media		EC's Team	Enforcement Team 4	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$21,400**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 311% Enhancement Subtotals 2, 3, & 7 **\$66,554**

Notes: The penalty was enhanced by 42 similar NOV's, 21 dissimilar NOV's, two 1660-style orders, and one findings order, and reduced by six NOAs.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

Before NOV NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts	\$1,936
Approx. Cost of Compliance	\$17,900

0% Enhancement* Subtotal 6 **\$0**
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$87,954**

OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount **\$87,954**

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty **\$87,679**

DEFERRAL

20%

Reduction

Adjustment

-\$17,535

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$70,144

Screening Date: 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent: Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator: Terry Murphy

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	42	210%
	Other written NOVs	21	42%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 311%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The penalty was enhanced by 42 similar NOVs, 21 dissimilar NOVs, two 1660-style orders, and one findings order, and reduced by six NOAs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 311%

Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 1

Rule Cite(s)

Federal Operating Permit ("FOP") O-02178, General Terms and Conditions, 30 Tex. Admin. Code § 122.132(a), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to include PBR claims in a FOP, as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that it failed to include the following Unit ID numbers, authorized under PBR during the year 2000, in its FOP: MSMTK2804A, MSMTK2804B, MSMTK2812, MSMTK2801, MSMTK2803, MSMTK2811, MSMTK2802, MSMDM2801, MSMDM2805, MSMDM2802, MSMTK2824, and MSMFG.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent failed to provide less than 30% of the required information.

Adjustment \$9,900

\$100

Violation Events

	1	1	Number of violation days
mark only one with an x	daily		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$81

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 33070
Reg. Ent. Reference No. RN100542281
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	20-Aug-2004	3-Apr-2006	1.6	\$81	n/a	\$81
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to have the permit revised to include the PBR authorizations. The Date Required is the issue date of the permit and the Final Date is the date the revision was issued.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	TOTAL	\$81
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Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 2

Rule Cite(s)

FOP O-02178, Special Terms and Conditions ("STC"), 1.A. and 10., New Source Review Permit ("NSRP") 24677, Special Condition ("SC") 1., 30 Tex. Admin. Code §§ 115.112(a)(3), 116.115(c), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Exceeded permitted emissions limits for tank TK-2810, as documented during an investigation conducted on January 29, 2007. Specifically, the permit limits volatile organic compounds ("VOC") emissions from that tank to 0.04 pounds per hour ("lbs/hr") and less than 0.01 tons per year ("tpy"), but the Respondent reported the VOC emissions from the tank at 4.2 lbs/hr and 14 tpy since July 15, 2005. In addition, the Respondent reported that it had failed to achieve the required 90% control efficiency on the vent condenser on that tank.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 7

638 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$17,500

Seven quarterly events are recommended from the beginning date of the violation (July 15, 2005) to the enforcement screening date (April 14, 2007).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,248

Violation Final Penalty Total \$71,925

This violation Final Assessed Penalty (adjusted for limits) \$71,925

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No.: 33070
 Reg. Ent. Reference No.: RN100542281
 Media: Air
 Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$10,000	15-Jul-2005	27-Apr-2007	1.8	\$59	\$1,189	\$1,248
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs for rerouting emissions from the tank to the flare and preparing and submitting Permit by Rule documentation. The Date Required is the beginning date of the emissions exceedances, and the Final Date is the date the Respondent rerouted the emissions to the flare.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$10,000	TOTAL	\$1,248
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Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 3

Rule Cite(s) FOP O-02178, STC 10., NSRP 24677, SC 11.F. and 13., 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to install rupture discs and pressure gauges on safety relief valves (EPN F28E00) in the Styrene Maleic Anhydride Unit, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

181 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$9,630

This violation Final Assessed Penalty (adjusted for limits) \$9,630

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$900	20-Aug-2005	17-Feb-2006	0.5	\$1	\$30	\$31
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to purchase and install three rupture discs and pressure gauges. The Date Required is the beginning date of the violations, and the Final Date is the date the Respondent reported completing the installations.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$900

TOTAL

\$31

Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Case ID No. 33070

Policy Revision 2 (September 2002)

Reg. Ent. Reference No. RN100542281

PCW Revision March 19, 2007

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 4

Rule Cite(s) FOP O-02178, STC 10., 30 Tex. Admin. Code §§ 116.116(b)(1) and 122.143(4), and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to accurately represent operating temperatures for tote EPN 28E37 in the permit representations, as documented during an investigation conducted on January 29, 2007. Specifically, subsequent to the permit representation of the tote's temperature, the Respondent elected to represent a higher temperature without amending the permit.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent failed to accurately represent less than 30% of the tote's representations.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

606 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$237

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media: Air
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$2,000	20-Aug-2005	1-Jan-2008	2.4	\$237	n/a	\$237
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to amend the permit to change the representation. The request date is the reported beginning date of the violation, and the Final Date is the date the Respondent is expected to have a permit amendment issued.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$237

Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 5

Rule Cite(s) FOP O-02178, STC 10., NSRP 24677, SC 9., 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to perform closed loop cumene sampling, as documented during an investigation conducted on January 29, 2007. Specifically, the permit requires closed loop sampling, and on six occasions from July 20, 2005 through December 5, 2005, the Respondent reported it did not perform closed loop sampling.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent failed to comply with 30% or less of the permit's Special Condition.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$30

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 33070
Reg. Ent. Reference No.: RN100542281
Media: Air
Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/Construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$2,000	20-Aug-2005	6-Dec-2005	0.3	\$30	n/a	\$30
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to alter the permit to allow alternate sampling. The Date Required is the reported beginning date of the violations and the Final Date is the date the permit was altered to allow for alternate sampling methods.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$30

Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

V12 6

Rule Cite(s) FOP O-02178, STC 1.A., 30 Tex. Admin. Code §§ 117.213(a) and 122.143(4), and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain continuous records of fuel flow for Heater MSMHT2801B, as documented during an investigation conducted on January 29, 2007. Specifically, on April 8 and 9, 2006, the Respondent reported that the record of flow was not kept for fifteen 15-minute periods.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			X

Percent 1%

Matrix
Notes

The Respondent failed to comply with less than 30% of the rule.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

2 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$110

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	8-Apr-2006	5-Nov-2007	1.6	\$5	\$105	\$110
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to improve the design and operation of the flow recorder. The Required Date is the first day of the reported violation, and the Final Date is the date the Respondent completed the improvements.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$110

Screening Date 18-Apr-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 7

Rule Cite(s) FOP O-02178, STC 3., 30 Tex. Admin. Code §§ 111.111(a)(1)(B) and 122.143(4), and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent visible emissions from Dust Collector EPN28E29, as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that the dust collector experienced 100% opacity for approximately ten minutes on August 15, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix
Notes

Human health or the environment have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$73

Violation Final Penalty Total \$10,275

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No.: 33070
 Reg. Ent. Reference No.: RN100542281
 Media: Air
 Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	15-Aug-2006	1-Feb-2008	1.5	\$73	n/a	\$73
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to provide additional training and/or improved oversight over the dust collector. The Required Date is the date of the violation, and the Final Date is the date Equistar is expected to have completed the additional training or improvements.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$73

Compliance History

Customer/Respondent/Owner-Operator:	CN600124705	Equistar Chemicals, LP	Classification: AVERAGE	Rating: 2.55
Regulated Entity:	RN100542281	CHANNELVIEW COMPLEX	Classification: AVERAGE	Site Rating: 2.25
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0033B	
	AIR OPERATING PERMITS	PERMIT	1426	
	AIR OPERATING PERMITS	PERMIT	2174	
	AIR OPERATING PERMITS	PERMIT	2175	
	AIR OPERATING PERMITS	PERMIT	2176	
	AIR OPERATING PERMITS	PERMIT	2177	
	AIR OPERATING PERMITS	PERMIT	2178	
	AIR OPERATING PERMITS	PERMIT	2179	
	AIR OPERATING PERMITS	PERMIT	2180	
	AIR OPERATING PERMITS	PERMIT	2181	
	AIR OPERATING PERMITS	PERMIT	2182	
	AIR OPERATING PERMITS	PERMIT	2183	
	AIR OPERATING PERMITS	PERMIT	2184	
	AIR OPERATING PERMITS	PERMIT	2185	
	WASTEWATER	PERMIT	WQ0000391000	
	WASTEWATER	PERMIT	TPDES0003531	
	WASTEWATER	PERMIT	TX0003531	
	AIR NEW SOURCE PERMITS	PERMIT	1768	
	AIR NEW SOURCE PERMITS	PERMIT	2128	
	AIR NEW SOURCE PERMITS	PERMIT	2933	
	AIR NEW SOURCE PERMITS	PERMIT	2935	
	AIR NEW SOURCE PERMITS	PERMIT	2936	
	AIR NEW SOURCE PERMITS	PERMIT	3130A	
	AIR NEW SOURCE PERMITS	PERMIT	3294	
	AIR NEW SOURCE PERMITS	PERMIT	3627	
	AIR NEW SOURCE PERMITS	PERMIT	6245	
	AIR NEW SOURCE PERMITS	PERMIT	6387	
	AIR NEW SOURCE PERMITS	PERMIT	8123	
	AIR NEW SOURCE PERMITS	PERMIT	8125	
	AIR NEW SOURCE PERMITS	PERMIT	10586	
	AIR NEW SOURCE PERMITS	PERMIT	10700	
	AIR NEW SOURCE PERMITS	PERMIT	10812	
	AIR NEW SOURCE PERMITS	PERMIT	11735	
	AIR NEW SOURCE PERMITS	PERMIT	12334	
	AIR NEW SOURCE PERMITS	PERMIT	13849	
	AIR NEW SOURCE PERMITS	PERMIT	15348	
	AIR NEW SOURCE PERMITS	PERMIT	12341	
	AIR NEW SOURCE PERMITS	PERMIT	22779	
	AIR NEW SOURCE PERMITS	PERMIT	23079	
	AIR NEW SOURCE PERMITS	PERMIT	24677	
	AIR NEW SOURCE PERMITS	PERMIT	24887	
	AIR NEW SOURCE PERMITS	PERMIT	30868	
	AIR NEW SOURCE PERMITS	PERMIT	32324	
	AIR NEW SOURCE PERMITS	PERMIT	32136	
	AIR NEW SOURCE PERMITS	PERMIT	32629	
	AIR NEW SOURCE PERMITS	PERMIT	33899	
	AIR NEW SOURCE PERMITS	PERMIT	34036	
	AIR NEW SOURCE PERMITS	PERMIT	34897	
	AIR NEW SOURCE PERMITS	PERMIT	38750	
	AIR NEW SOURCE PERMITS	PERMIT	42948	
	AIR NEW SOURCE PERMITS	PERMIT	43770	
	AIR NEW SOURCE PERMITS	PERMIT	45332	
	AIR NEW SOURCE PERMITS	PERMIT	46417	
	AIR NEW SOURCE PERMITS	PERMIT	47326	
	AIR NEW SOURCE PERMITS	PERMIT	47487	
	AIR NEW SOURCE PERMITS	PERMIT	50141	
	AIR NEW SOURCE PERMITS	PERMIT	50142	
	AIR NEW SOURCE PERMITS	PERMIT	50165	
	AIR NEW SOURCE PERMITS	PERMIT	50322	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0033B	
	AIR NEW SOURCE PERMITS	PERMIT	50812	
	AIR NEW SOURCE PERMITS	PERMIT	52720	
	AIR NEW SOURCE PERMITS	PERMIT	52726	
	AIR NEW SOURCE PERMITS	PERMIT	54098	
	AIR NEW SOURCE PERMITS	REGISTRATION	54602	
	AIR NEW SOURCE PERMITS	PERMIT	54801	
	AIR NEW SOURCE PERMITS	PERMIT	55104	
	AIR NEW SOURCE PERMITS	PERMIT	55669	
	AIR NEW SOURCE PERMITS	AFS NUM	4820100075	

AIR NEW SOURCE PERMITS	REGISTRATION	56137
AIR NEW SOURCE PERMITS	PERMIT	PSDTX991
AIR NEW SOURCE PERMITS	PERMIT	70201
AIR NEW SOURCE PERMITS	REGISTRATION	70323
AIR NEW SOURCE PERMITS	PERMIT	49120
AIR NEW SOURCE PERMITS	PERMIT	49130
AIR NEW SOURCE PERMITS	REGISTRATION	76017
AIR NEW SOURCE PERMITS	REGISTRATION	75881
AIR NEW SOURCE PERMITS	REGISTRATION	76313
AIR NEW SOURCE PERMITS	REGISTRATION	76277
AIR NEW SOURCE PERMITS	PERMIT	71143
AIR NEW SOURCE PERMITS	PERMIT	70203
AIR NEW SOURCE PERMITS	PERMIT	54063
AIR NEW SOURCE PERMITS	PERMIT	51727
AIR NEW SOURCE PERMITS	PERMIT	55680
AIR NEW SOURCE PERMITS	REGISTRATION	72713
AIR NEW SOURCE PERMITS	PERMIT	72755
AIR NEW SOURCE PERMITS	REGISTRATION	72948
AIR NEW SOURCE PERMITS	REGISTRATION	72946
AIR NEW SOURCE PERMITS	REGISTRATION	73859
AIR NEW SOURCE PERMITS	REGISTRATION	74051
AIR NEW SOURCE PERMITS	REGISTRATION	74110
AIR NEW SOURCE PERMITS	REGISTRATION	74162
AIR NEW SOURCE PERMITS	REGISTRATION	74181
AIR NEW SOURCE PERMITS	REGISTRATION	74366
AIR NEW SOURCE PERMITS	REGISTRATION	74374
AIR NEW SOURCE PERMITS	PERMIT	74385
AIR NEW SOURCE PERMITS	REGISTRATION	74416
AIR NEW SOURCE PERMITS	REGISTRATION	74563
AIR NEW SOURCE PERMITS	REGISTRATION	74944
AIR NEW SOURCE PERMITS	REGISTRATION	74949
AIR NEW SOURCE PERMITS	REGISTRATION	75322
AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	REGISTRATION	76651
AIR NEW SOURCE PERMITS	REGISTRATION	76666
AIR NEW SOURCE PERMITS	REGISTRATION	76693
AIR NEW SOURCE PERMITS	REGISTRATION	76778
AIR NEW SOURCE PERMITS	REGISTRATION	76791
AIR NEW SOURCE PERMITS	REGISTRATION	77318
AIR NEW SOURCE PERMITS	REGISTRATION	77619
AIR NEW SOURCE PERMITS	REGISTRATION	77640
AIR NEW SOURCE PERMITS	REGISTRATION	77631
AIR NEW SOURCE PERMITS	REGISTRATION	78024
AIR NEW SOURCE PERMITS	REGISTRATION	78069
AIR NEW SOURCE PERMITS	REGISTRATION	78108
AIR NEW SOURCE PERMITS	REGISTRATION	78114
AIR NEW SOURCE PERMITS	REGISTRATION	78128
AIR NEW SOURCE PERMITS	REGISTRATION	78173
AIR NEW SOURCE PERMITS	REGISTRATION	78191
AIR NEW SOURCE PERMITS	REGISTRATION	78197
AIR NEW SOURCE PERMITS	REGISTRATION	78252
AIR NEW SOURCE PERMITS	REGISTRATION	78278
AIR NEW SOURCE PERMITS	REGISTRATION	78343
AIR NEW SOURCE PERMITS	REGISTRATION	78381
AIR NEW SOURCE PERMITS	REGISTRATION	78560
AIR NEW SOURCE PERMITS	REGISTRATION	78772
AIR NEW SOURCE PERMITS	REGISTRATION	78819
AIR NEW SOURCE PERMITS	REGISTRATION	78978
AIR NEW SOURCE PERMITS	REGISTRATION	78599
AIR NEW SOURCE PERMITS	PERMIT	72756
AIR NEW SOURCE PERMITS	REGISTRATION	79261
AIR NEW SOURCE PERMITS	REGISTRATION	79431
AIR NEW SOURCE PERMITS	REGISTRATION	79460
AIR NEW SOURCE PERMITS	REGISTRATION	79647
AIR NEW SOURCE PERMITS	REGISTRATION	79712
AIR NEW SOURCE PERMITS	REGISTRATION	79892
AIR NEW SOURCE PERMITS	REGISTRATION	79938
AIR NEW SOURCE PERMITS	REGISTRATION	80296
AIR NEW SOURCE PERMITS	REGISTRATION	80137
AIR NEW SOURCE PERMITS	REGISTRATION	80449
AIR NEW SOURCE PERMITS	REGISTRATION	80597
AIR NEW SOURCE PERMITS	REGISTRATION	80689
AIR NEW SOURCE PERMITS	REGISTRATION	80914
AIR NEW SOURCE PERMITS	REGISTRATION	81190
AIR NEW SOURCE PERMITS	REGISTRATION	81189
AIR NEW SOURCE PERMITS	REGISTRATION	81543

INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD058275769
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30030
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
UNDERGROUND INJECTION CONTROL	PERMIT	WDW036
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011578
WATER LICENSING	LICENSE	1011578
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30030

Location: 8280 SHELDON RD BLDG 1, CHANNELVIEW, TX, 77530 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 01, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 2, 2002 to May 2, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Terry Murphy Phone: (512) 239-5025

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/02/2002	ADMINORDER 2001-1516-AIR-E (1660)
Classification: Moderate	
Citation: 40 CFR Part 61, Subpart FF 61.342(c)(1)(ii) 40 CFR Part 61, Subpart FF 61.343(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failure to prevent unauthorized emissions as a result of a spill from a permitted tank.	
Effective Date: 04/13/2003	ADMINORDER 1999-1410-AIR-E (1660)
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to have the required vapor recovery system or submerged fill pipe at the time of inspection on Tank No. 6901 in VOC service.	
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(B) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to keep copies of each marine vessel's certification of annual vapor tightness tests for marine loading operations at the Plant.	
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(F) 30 TAC Chapter 115, SubChapter D 115.356(3) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to maintain calibration records for VOC monitoring instruments for two years. Calibration records from the first, second and fourth quarters of 1997 and the first quarter of 1998 were unavailable.	
Classification: Moderate	
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT W 61.275(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to submit results of seal inspections for Tanks 3111A, 3111B, 3113 and 4916 w/i 60 days after Equistar completed the seal inspections on April 21 thru April 27, 1998.	
Classification: Moderate	
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1) 40 CFR Part 60, Subpart Kb 60.115b(b)(2) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to submit a seal inspection report for Tank No. 4922 and Tank No. 33 within 60 days of inspection.	
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)[G]	

30 TAC Chapter 115, SubChapter D 115.355(1)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(f)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)
 40 CFR Part 60, Subpart VV 60.482-2[G]
 40 CFR Part 60, Subpart VV 60.482-7[G]
 40 CFR Part 61, Subpart V 61.242-7(a)
 40 CFR Part 61, Subpart V 61.245(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly monitor fugitive emissions for several units, including the Olefins Plant I and Tank Farm, Olefins Plant II and Tank Farm, Butadiene Plants E and W, Barge Dock, Benzene/Toluene Unit, East Tank Farm, LMTBE Unit and the MeOH Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to perform seal gap measurements on Tanks TK-26, TK-3115, TK-3112, and TK-4921 on an annual basis in 1998.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518[G]
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification as required by Standard Exemption 106 (effective August 25, 1986) when the 1200 Unit was modified to produce a new product.

Effective Date: 12/02/2006

ADMINORDER 2006-0515-AIR-E (findings)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: S.C. 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions from an aboveground storage tank pressure safety valve.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/22/2002	(156273)	111	08/31/2003	(134179)	223	04/06/2005	(375076)
2	05/22/2002	(1339)	112	08/31/2003	(134175)	224	04/18/2005	(375016)
			113	10/01/2003	(249301)	225	04/20/2005	(376147)
3	05/22/2002	(1314)	114	10/01/2003	(249144)	226	04/20/2005	(372583)
4	05/23/2002	(156277)	115	10/01/2003	(249012)	227	04/22/2005	(346277)
5	06/05/2002	(2105)	116	10/01/2003	(249172)	228	04/25/2005	(377509)
6	06/10/2002	(2233)	117	10/01/2003	(248879)	229	05/03/2005	(419501)
7	06/12/2002	(1611)	118	10/01/2003	(248981)	230	05/24/2005	(419502)
8	06/24/2002	(2701)	119	10/01/2003	(248243)	231	06/14/2005	(393497)
9	06/24/2002	(156281)	120	10/03/2003	(249082)	232	06/21/2005	(419503)
10	06/24/2002	(2914)	121	10/07/2003	(250145)	233	06/22/2005	(381407)
11	07/19/2002	(5534)	122	10/17/2003	(294653)	234	06/22/2005	(392621)
12	07/19/2002	(5345)	123	10/23/2003	(294655)	235	06/23/2005	(378466)
13	07/19/2002	(4814)	124	11/05/2003	(254238)	236	06/23/2005	(378454)
14	07/19/2002	(4569)	125	11/18/2003	(294656)	237	07/15/2005	(395098)
15	07/23/2002	(156285)	126	12/29/2003	(294657)	238	07/18/2005	(392902)
16	07/31/2002	(5089)	127	01/23/2004	(294658)	239	07/22/2005	(392487)
17	08/01/2002	(4981)	128	02/24/2004	(294639)	240	07/22/2005	(381313)
18	08/02/2002	(6606)	129	03/15/2004	(255945)	241	07/22/2005	(392651)
19	08/06/2002	(7028)	130	03/22/2004	(294642)	242	07/22/2005	(394428)
20	08/06/2002	(7144)	131	03/23/2004	(263250)	243	07/25/2005	(440656)
21	08/06/2002	(7204)	132	03/23/2004	(263160)	244	07/26/2005	(399215)
22	08/06/2002	(7234)	133	03/23/2004	(263194)	245	08/05/2005	(381400)
23	08/07/2002	(7141)	134	03/23/2004	(263154)	246	08/05/2005	(392610)
24	08/08/2002	(2391)	135	03/24/2004	(256278)	247	08/05/2005	(393207)
25	08/09/2002	(2626)	136	04/14/2004	(264758)	248	08/11/2005	(404370)
26	08/09/2002	(7549)	137	04/15/2004	(453160)	249	08/11/2005	(404367)
27	08/09/2002	(4157)	138	04/23/2004	(294643)	250	08/11/2005	(404342)
28	08/09/2002	(5980)	139	05/19/2004	(270464)	251	08/11/2005	(404321)
29	08/09/2002	(2387)	140	05/24/2004	(294645)	252	08/12/2005	(399221)
30	08/12/2002	(6957)	141	06/08/2004	(270126)	253	08/15/2005	(404957)
31	08/13/2002	(7700)	142	06/21/2004	(294647)	254	08/23/2005	(440657)

32	08/16/2002	(5841)	143	06/30/2004	(273943)	255	08/24/2005	(406415)
33	08/19/2002	(8124)	144	06/30/2004	(271411)	256	08/26/2005	(372787)
34	08/21/2002	(156288)	145	06/30/2004	(274359)	257	08/29/2005	(406161)
35	08/22/2002	(5939)	146	06/30/2004	(274423)	258	09/13/2005	(431694)
36	08/22/2002	(5772)	147	07/09/2004	(278834)	259	10/24/2005	(440658)
37	08/27/2002	(7197)	148	07/13/2004	(260492)	260	10/26/2005	(440659)
38	08/28/2002	(8742)	149	07/19/2004	(260586)	261	11/15/2005	(434603)
39	08/30/2002	(10526)	150	07/25/2004	(351828)	262	11/18/2005	(437299)
40	08/30/2002	(10522)	151	07/29/2004	(263469)	263	11/22/2005	(468155)
41	09/04/2002	(8299)	152	08/04/2004	(280108)	264	11/28/2005	(468154)
42	09/10/2002	(10385)	153	08/04/2004	(280174)	265	12/01/2005	(435325)
43	09/18/2002	(11434)	154	08/11/2004	(284585)	266	12/08/2005	(434728)
44	09/23/2002	(156291)	155	08/13/2004	(277268)	267	12/19/2005	(438915)
45	10/21/2002	(156294)	156	08/23/2004	(259476)	268	12/21/2005	(468156)
46	11/25/2002	(156298)	157	08/24/2004	(351829)	269	02/15/2006	(455481)
47	11/27/2002	(14344)	158	08/27/2004	(265746)	270	02/22/2006	(450109)
48	12/19/2002	(156302)	159	08/27/2004	(269133)	271	02/24/2006	(451477)
49	12/27/2002	(15704)	160	08/27/2004	(265803)	272	02/27/2006	(468153)
50	12/30/2002	(17670)	161	08/27/2004	(266244)	273	02/28/2006	(451452)
51	01/02/2003	(18051)	162	08/29/2004	(268291)	274	02/28/2006	(451480)
52	01/09/2003	(16679)	163	08/31/2004	(276264)	275	02/28/2006	(451788)
53	01/21/2003	(156306)	164	08/31/2004	(271963)	276	02/28/2006	(451483)
54	01/30/2003	(23340)	165	08/31/2004	(272796)	277	02/28/2006	(451494)
55	02/05/2003	(23369)	166	08/31/2004	(274451)	278	03/13/2006	(454890)
56	02/24/2003	(4858)	167	09/01/2004	(286398)	279	03/23/2006	(498017)
57	02/24/2003	(156266)	168	09/01/2004	(289083)	280	03/24/2006	(457373)
58	02/26/2003	(20471)	169	09/01/2004	(289240)	281	03/28/2006	(453139)
59	03/07/2003	(20710)	170	09/10/2004	(273388)	282	03/29/2006	(459500)
60	03/07/2003	(9862)	171	09/16/2004	(263553)	283	03/31/2006	(455940)
61	03/18/2003	(20944)	172	09/23/2004	(351830)	284	04/24/2006	(498018)
62	03/24/2003	(156269)	173	10/25/2004	(351831)	285	04/28/2006	(462755)
63	04/11/2003	(24878)	174	10/25/2004	(351833)	286	05/16/2006	(463873)
64	04/11/2003	(24871)	175	11/01/2004	(285942)	287	05/23/2006	(498019)
65	04/11/2003	(24868)	176	11/03/2004	(334297)	288	05/23/2006	(466508)
66	04/13/2003	(31335)	177	11/05/2004	(334314)	289	05/24/2006	(465260)
67	04/22/2003	(156274)	178	11/05/2004	(334310)	290	05/31/2006	(480441)
68	04/23/2003	(33871)	179	11/05/2004	(334308)	291	05/31/2006	(480422)
69	04/25/2003	(33319)	180	11/11/2004	(292333)	292	05/31/2006	(480433)
70	04/25/2003	(28077)	181	11/11/2004	(292452)	293	05/31/2006	(480405)
71	05/07/2003	(27054)	182	11/14/2004	(275792)	294	05/31/2006	(480427)
72	05/08/2003	(35681)	183	11/22/2004	(293289)	295	05/31/2006	(480444)
73	05/15/2003	(282930)	184	11/22/2004	(339105)	296	06/21/2006	(498020)
74	05/19/2003	(36187)	185	11/22/2004	(339107)	297	06/26/2006	(464019)
75	05/23/2003	(156278)	186	11/23/2004	(334387)	298	06/30/2006	(483427)
76	06/13/2003	(38138)	187	11/23/2004	(351832)	299	07/07/2006	(484895)
77	06/18/2003	(38117)	188	11/23/2004	(334429)	300	07/17/2006	(464664)
78	06/24/2003	(156282)	189	11/29/2004	(274800)	301	07/17/2006	(460500)
79	06/27/2003	(114332)	190	12/06/2004	(275639)	302	07/19/2006	(480415)
80	07/08/2003	(114317)	191	12/06/2004	(341908)	303	07/20/2006	(486401)
81	07/08/2003	(114279)	192	12/09/2004	(343543)	304	07/24/2006	(520033)
82	07/08/2003	(114581)	193	12/14/2004	(339112)	305	07/28/2006	(484749)
83	07/08/2003	(114388)	194	12/15/2004	(339111)	306	08/04/2006	(339110)
84	07/11/2003	(38147)	195	12/27/2004	(381708)	307	08/15/2006	(482128)
85	07/11/2003	(112449)	196	12/27/2004	(276826)	308	08/15/2006	(481194)
86	07/23/2003	(294649)	197	12/28/2004	(343601)	309	08/15/2006	(489890)
87	08/04/2003	(64101)	198	01/03/2005	(286756)	310	08/16/2006	(457265)
88	08/06/2003	(147467)	199	01/03/2005	(339113)	311	08/21/2006	(520034)
89	08/06/2003	(147338)	200	01/04/2005	(339104)	312	09/01/2006	(510768)
90	08/12/2003	(148968)	201	01/05/2005	(339108)	313	09/05/2006	(486742)
91	08/12/2003	(148934)	202	01/07/2005	(339103)	314	09/25/2006	(520035)
92	08/12/2003	(112317)	203	01/10/2005	(343232)	315	10/04/2006	(488324)
93	08/12/2003	(148923)	204	01/12/2005	(346553)	316	10/24/2006	(544282)
94	08/14/2003	(149856)	205	01/18/2005	(336265)	317	11/21/2006	(516667)
95	08/14/2003	(149867)	206	02/10/2005	(349636)	318	11/27/2006	(544283)
96	08/14/2003	(141032)	207	02/10/2005	(349316)	319	11/30/2006	(531615)
97	08/14/2003	(149824)	208	02/10/2005	(349111)	320	12/11/2006	(519152)
98	08/19/2003	(149893)	209	02/10/2005	(337111)	321	12/19/2006	(544284)
99	08/19/2003	(149887)	210	02/10/2005	(349267)	322	12/29/2006	(535494)
100	08/19/2003	(149908)	211	02/11/2005	(336418)	323	01/23/2007	(544285)
101	08/22/2003	(149977)	212	02/11/2005	(336433)	324	01/30/2007	(538091)
102	08/25/2003	(149897)	213	02/11/2005	(336438)	325	01/31/2007	(537102)

103	08/25/2003	(294651)	214	02/17/2005	(343594)	326	01/31/2007	(517108)
104	08/25/2003	(151586)	215	02/23/2005	(381706)	327	01/31/2007	(537091)
105	08/25/2003	(151756)	216	02/25/2005	(345588)	328	01/31/2007	(537099)
106	08/25/2003	(151765)	217	03/03/2005	(339106)	329	02/08/2007	(538420)
107	08/27/2003	(152697)	218	03/22/2005	(381707)	330	02/22/2007	(485046)
108	08/27/2003	(13764)	219	03/28/2005	(375234)	331	02/27/2007	(532597)
109	08/29/2003	(152195)	220	03/28/2005	(375220)	332	03/21/2007	(532595)
110	08/29/2003	(152183)	221	03/28/2005	(375212)	333	04/05/2007	(532607)
			222	03/31/2005	(373125)	334	04/10/2007	(532608)
						335	04/12/2007	(541831)
						336	04/12/2007	(554839)
						337	04/23/2007	(539454)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	06/30/2002	(156285)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	07/31/2002	(156288)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	09/30/2002	(156294)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2002	(156298)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	01/27/2003	(15704)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]			
Description:	Failure to control emissions.			
Date:	01/31/2003	(156266)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	02/10/2003	(24871)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(b)(1)			
Description:	Failure to prevent unauthorized emissions.			
Date:	02/28/2003	(156269)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	03/07/2003	(9862)	Classification:	Minor
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter A 101.7(b)(1)(G) 30 TAC Chapter 101, SubChapter A 101.7(c)(7)			
Description:	Failure to document the actions taken to minimize emissions in both the initial and final notification records for a start-up event on 02/16/2002.			
Date:	03/31/2003	(156274)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	04/11/2003	(24868)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(1)			
Description:	Failure to prevent unauthorized emissions.			
Date:	04/30/2003	(156278)		

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2003 (156282)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2003 (294651)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2003 (294653)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	09/30/2003 (294655)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/01/2003 (248879)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN: 44E10.		
Date:	10/01/2003 (248243)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit.		
Date:	10/01/2003 (249082)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to torque the flange properly.		
Date:	10/01/2003 (249144)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN 17E01		
Date:	10/01/2003 (249301)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with permit limit for VOC, CO and NO (EPN: 48E01).		
Date:	10/01/2003 (249012)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to comply with the MAERT limit for EPN 6E07.		
Date:	10/01/2003 (249172)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]		
Description:	Failure to submit the initial report within 24 hours.		
Date:	10/01/2003 (248981)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to comply with the state rule 30 TAC 116.116(a)(1) which resulted in unauthorized emissions.		
Date:	02/29/2004 (294642)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/13/2004 (260492)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ AIR PERMIT #1768, SC #1		
Description:	Exceeded VOC emissions limits during an avoidable emissions event.		
Date:	07/19/2004 (260586)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(4)		

Description: 5C THC Chapter 382, SubChapter A 382.085(b)
 Failed to identify the facility name in an emissions event notification.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
 Description: Equistar failed to submit an electronic final emissions event notification.
 Date: 07/28/2004 (259476)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 08/11/2004 (263553)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to speciate VOC in the Initial Notification and Final Report submitted for an avoidable emissions event.
 Date: 08/27/2004 (265746)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
 Description: Equistar failed to properly complete and submit an emissions event notification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded permit limits during an avoidable emissions event.
 Date: 08/29/2004 (268291)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded VOC permit limit.
 Date: 08/31/2004 (272796)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit administratively complete emissions event notifications.
 Date: 08/31/2004 (271963)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(F)
 30 TAC Chapter 101, SubChapter F 101.211(b)(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Equistar was not in compliance with the maintenance, startup, and shutdown rules.
 Date: 10/31/2004 (351832)
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/27/2004 (276826)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Air Permit No. 2933, GC #8
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 01/03/2005 (286756)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 22779
 Description: Equistar failed to prevent an avoidable emissions event.
 Date: 01/04/2005 (339104)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar failed to prevent an avoidable emissions event.
 Date: 01/10/2005 (343232)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
 Description: Failure to provide an adequate ground storage capacity.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
 Description: Failure to provide a minimum pressure tank capacity of 220 gallons.

Date: 04/20/2005 (372583)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
 Description: Equistar failed to submit the Final Report electronically.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Permit No. 22779, Special Condition No.1
 Description: Equistar failed to prevent an avoidable emissions event.
 Date: 08/05/2005 (381400)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on furnace 3403.
 Date: 08/05/2005 (393207)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4406.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on F4410.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4401.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 3401.
 Date: 08/05/2005 (392610)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
 Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4404.
 Date: 08/10/2005 (404514)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Permit #2128, GC #8
 Description: Failure to prevent a leak in Tower T-301.
 Date: 09/13/2005 (431694)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
 Description: Failure to provide an adequate ground storage capacity.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
 Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
 Date: 11/18/2005 (437299)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: PERMIT 3130A, SC No. 4
 OP 002179, ST&C No. 10
 Description: Failure to operate within pumping rates of Polyols(KOH) and (IMPACT).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)[G]
 Description: Failure to install the totalizing fuel flow meter on EGBVC6904.
 Date: 12/08/2005 (434728)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter C 122.222(k)(3)
 Description: Failure to submit the off-permit notification for claiming the permit by rule for flare emissions.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 Description: Failure to register the PBR within 10 of increase in flare emissions.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)

Rqmt Prov: PERMIT 49130, S.C. No.5
OP O-02180, S.C No.1A

Description: Failure to follow the fugitive monitoring for 172 valves and 5 pumps in the Isopropanol Unit

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02180, SC. 1.A

Description: Failure to have required information on tags attached to visual fugitive leaks

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PERMIT 49130, SC 5.E
OP O-02180, SC 1.A

Description: Failure to cap or plug the five open-ended lines in VOC service

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 49130, S.C 7
OP O-02180, S.C 11

Description: Failure to follow the procedure described in Appendix P, Section 5.5.1 for monitoring the cooling tower (CT-2401) as required by the permit condition

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failure to report the deviations regarding the cooling tower monitoring in the deviation reports

Date: 12/19/2005 (438915)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)

Description: Failure to submit the federal operating permit (O-02177) minor revision application concurrent with the permit amendment issued on July 26, 2005 and permit by rules claimed in 1997 and 2002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 1
OP O-02177, STC 10

Description: Failure to operate tanks and loading arms within maximum allowable emission rates as permitted in the NSR permit 22779.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 8
OP O-02177, STC 10

Description: Failure to initiate the fugitive monitoring for 22 valves and 3 pumps in the Polybutadiene Unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 8.E
OP O-02177, STC 10

Description: Failure to cap or plug the five open-ended lines in VOC service

Date: 12/31/2005 (440659)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/22/2006 (450109)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 24887 SC1.E
OP O02176, SC 15

Description: Failure to cap or plug the eighty five (85) open-ended lines in VOC service

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(3)

Description: Failure to register the PBRs 106.261 and 106.262 within 10 days of addition of a flare analyzer and failure to make off-permit notification concurrently.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)[G]

Description: Failure to represent the several sources that are subject to 30 TAC 111 rules in the Title V Operating Permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 24887, SC 1
OP 002176, SC 15
Description: Failure to include 19 valves and 39 connectors associated with sample systems and failure to include 5 pumps, 38 valves, 104 connectors, and 4 sample points in the fugitive monitoring database.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.142[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP 002176, SC 5
Description: Failure to control the wastewater streams as required by 30 TAC 115.142.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(5)
Rqmt Prov: OP 002176, SC 1.A
Description: Failure to make the tank seal inspection notification 30 days in advance.
Date: 02/28/2006 (451788)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
Rqmt Prov: PA NSR Permit No. 8125, SC 6E
Description: Failure to plug two open-ended-lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)
Description: Failure to install fuel flow meter on Diesel Engine, P-3314.

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
Description: Failure to include compressor information in the HON Subpart H Semiannual report.

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(a)
Description: Failure to maintain appropriate records of 220 connectors, 6 instrument systems, 4 PSVs, 2 pumps, and 101 valves.
Date: 03/24/2006 (457373)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
Description: Failure to provide an adequate ground storage capacity.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
Date: 03/28/2006 (453139)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA NSR Permit No 2936, SC 10E
OP O-02182 Special Terms and Condition 15
Description: Failed to plug 20 open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-02181 General Terms and Condition
Description: The facility failed to register two tanks and one cooling tower within ten (10) days of change as required during August 19, 2004 through November 22, 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-02182 General Terms and Condition
Description: Failure to include compressor information in the HON Subpart H semiannual report for the reporting period from February 28, 2005 through August 19, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA Special Condition No. 10F
OP Special Terms and Condition 15
Description: failure to monitor 59 valves that were marked as unsafe to monitor during the third quarter of 2004 from August 19, 2004 through September 30, 2004.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP General Terms and Condition		
Description:	failure to put identification number for the leaking fugitive valves during August 19, 2004 through August 19, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Special Terms and Condition 15		
Description:	failure to include 89 connectors, 27 valves, and 19 pumps in the fugitive monitoring program during the third quarter of 2004 from August 19, 2004 through September 30, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP General Terms and Condition		
Description:	failure to obtain a permit by rule (PBR) for the emission point no. SP-4010.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP General Terms and Conditions		
Description:	failure to seal the external floating roof tank, TK-3112. The gasket on the rim vent was missing.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA SC No 1 of NSR Permit No. 2936. OP Special Terms and Conditions 15		
Description:	failure to obtain appropriate authorization for storing hydrocarbons for the tanks, TK-3113 and TK-3114.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA Special Condition 1 OP Special Terms and Condition 15		
Description:	failure to comply with the pounds per hour of VOC emission limit for tank No. TK-4002 of TCEQ Air Permit 2936.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP General Terms and Conditions		
Description:	failure to obtain a permit by rule (PBR) for the analyzer vent.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.132(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to include all the emission authorizations for the cooling tower were not represented in the title V permit. (459500)		
Date:	03/29/2006	Classification:	Moderate
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit No. 2128		
Description:	Failure to prevent the release of unauthorized emissions from a railroad tank car PSV.		
Date:	03/31/2006	Classification:	Moderate
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G] 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to represent the two sources that are subject to 30 TAC 111 rules in the Title V Operating Permit O-02175.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6245, SC 1 OP O02175, STC 10		

Description: Failure to operate tanks (TK30 & TK31) within maximum allowable emission rates as permitted in the NSR permit 6245.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6245, SC 7.E
OP 002175, STC 10
OP 002175, STC 1A

Description: Failure to cap or plug the thirty-eight (38) open-ended lines in VOC service (C5 recovery unit).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 002175, STC 1A

Description: Failure to equip the dimer drum feed sampling connection system with closed loop.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 002175, STC 1A

Description: Failure to have required information on tags attached to visual fugitive leaks

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6245, SC 7
OP 002175, STC 10
OP 002175, STC 1A

Description: Failure to include 2 pumps, 32 valves, and 103 connectors in the C5 recovery unit in fugitive monitoring database.

Date: 05/16/2006 (463873)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit No. 2128

Description: Failure to prevent the release of unauthorized emissions from a leaking pipeline due to the removal of a blind.

Date: 05/24/2006 (465260)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G]
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to correctly represent the HON storage vessel provisions, HON container provisions, and 30 TAC 111 rules in the Title V Operating Permit O-02185.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.119(c)(2)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02185, STC 16
OP O-02185, STC 1A
PERMIT Permit 6387, SC 2

Description: Failure to equip gasket on sample hatch cover and failure to have physical fasteners on float well cover on external floating roof tank (Tank 26).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.119(b)(6)

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 16
OP O-02185, STC 1A

Description: Failure to cover all the openings on internal floating roof tanks: Tank 37 and Tank 47 and failure to have physical fasteners on float well covers on internal floating roof tanks: Tank 37, 48, and 49.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart G 63.119(b)(1)[G]
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 1.A
 OP O-02185, STC 16

Description: Failure to keep the floating roof of Tank 47 always in contact with liquid surface during the regular operations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 4.A
 OP O-02185, STC 16

Description: Failure to obtain authorization for the emissions resulted from analyzer vents in the MTBE Unit

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 1.A
 OP O-02185, STC 16

Description: Failure to cap or plug the sixty-one (61) open-ended lines in VOC service in MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02185, STC 1.A

Description: Failure to have required information on tags attached to visual fugitive leaks in the MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)[G]
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 5
 OP O-02185, STC 1.A
 OP O-02185, STC 16

Description: Failure to include 2 valves in the MTBE Unit in fugitive monitoring database and comply with the fugitive monitoring requirements.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.142[G]
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02185, SC 5

Description: Failure to control the one wastewater stream (T-1215) as required by 30 TAC 115.142 in MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(9)

Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 1.A
 OP O-02185, STC 16

Description: Failure to make the tank seal inspection (Tank-26) notification 30 days in advance in MTBE Unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
 OP O-02185, STC 1.A
 OP O-02185, STC 16

Description: Failure to comply with HON process wastewater provisions for two containers in MTBE Unit.

Date: 06/26/2006 (464019) Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]

Rqmt Prov: PERMIT 00391-000

Description: Failure to document the sample collection time and the identify of the sample personnel

for the Outfall 001
24 hour composite samples.
(484749)

Date: 07/28/2006

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT No. 22779, Special Condition No. 1

Description: Equistar failed to prevent this emissions event

Date: 08/15/2006 (489890)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to update Notice of Registration

Date: 08/16/2006 (457265)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(1)[G]
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to control emissions from drum D3075 and from tank TK20.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 2128, SC 10E
OP O-02184, ST&C 18
OP O-02184, ST&C 1A

Description: Failure to cap or plug 174 open ended lines in VOC service.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to have a Startup/Shutdown/Malfunction plan to address visible emissions from east plant flare.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02184, ST&C 1A

Description: Failure to conduct monthly monitoring on 4 HON pumps in January 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02184, ST&C 1A

Description: Failure to equip a sample point with a closed loop system on reactor effluent and T1204 overhead.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02184, ST&C 1H

Description: Failure to have identification numbers on the fugitive leak tags attached to 51 components.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to authorize emissions from sampling in the tank farm.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 2128, SC 10
OP O-02184, ST&C 18
OP O-02184, ST&C 1A

Description: Failure to include 16 pumps, 45 valves, and 292 connectors in the fugitive monitoring database.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02184, ST&C 13

Description: Failure to control emissions from 3 wastewater streams (D-78, D-3055, D-03102).
Date: 11/30/2006 (544284)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
Date: 02/01/2007 (538420)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 2933 Special Condition 1

Description: Failure to prevent process water collection system back-up which resulted in unauthorized emissions.
Date: 04/11/2007 (532608)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include Polyols loading emissions in federal operating permit O-02179.

F. Environmental audits.

Notice of Intent Date: 05/30/2002 (32973)
No DOV Associated

Notice of Intent Date: 06/20/2002 (32977)
No DOV Associated

Notice of Intent Date: 02/03/2003 (33157)
No DOV Associated

Notice of Intent Date: 07/26/2005 (453654)
No DOV Associated

Notice of Intent Date: 10/06/2005 (434934)
No DOV Associated

Notice of Intent Date: 11/28/2006 (534269)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

DATES	Assigned	26-Mar-2007
	PCW	28-Nov-2007
	Screening	27-Mar-2007
	EPA Due	

RESPONDENT/FACILITY INFORMATION	
Respondent	Equistar Chemicals, LP
Reg. Ent. Ref. No.	RN100542281
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION	
Enf./Case ID No.	33070
Docket No.	2007-0493-AIR-E
Media Program(s)	Air
Multi-Media	
Admin. Penalty \$	Limit Minimum \$0 Maximum \$10,000
No. of Violations	9
Order Type	1660
Enf. Coordinator	Terry Murphy
EC's Team	Enforcement Team 5

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$19,700

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 311% Enhancement **Subtotals 2, 3, & 7** \$61,267

Notes The penalty was enhanced by 42 similar NOV's, 21 dissimilar NOV's, two 1660-style orders, and one findings order, and reduced by six NOAs.

Culpability No 0% Enhancement **Subtotal 4** \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction **Subtotal 5** \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria.

Total EB Amounts \$6,503 **0% Enhancement*** **Subtotal 6** \$0
Approx. Cost of Compliance \$12,300 ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$80,967

OTHER FACTORS AS JUSTICE MAY REQUIRE 6% **Adjustment** \$5,000

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes Avoided costs associated with Violation 6.

Final Penalty Amount \$85,967

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$85,967

DEFERRAL 20% Reduction **Adjustment** -\$17,193

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY \$68,774

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	42	210%
	Other written NOVs	21	42%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 311%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced by 42 similar NOVs, 21 dissimilar NOVs, two 1660-style orders, and one findings order, and reduced by six NOAs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 311%

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 1

Rule Cite(s) Federal Operating Permit O-02181, Special Terms and Conditions ("STC"), 1.A., 30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), 40 Code of Federal Regulations ("CFR") § 63.127(b)(2), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to demonstrate the use of a continuous monitoring recorder on the Methanol Skid (ECULR2MEOH). Specifically, the Respondent was required to continuously monitor the emissions control device for the Skid with a recorder, but the Respondent reported that the records from July 11, 2005 through September 17, 2005 were discarded.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential			x	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations. The Respondent reported that it manually recorded the required data during the period of time the recorder was out of service.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1 68 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$180

Violation Final Penalty Total \$4,364

This violation Final Assessed Penalty (adjusted for limits) \$4,364

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No: 33070
 Reg. Ent. Reference No: RN100542281
 Media Air
 Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$1,500	11-Jul-2005	29-Mar-2007	1.7	\$9	\$172	\$180
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs for additional personnel oversight/training associated with the recorder. The Date Required is the date the recorder went out of service, and the Final Date is the date the Respondent provided additional personnel training.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$180

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 2

Rule Cite(s) FOP O-02181, STC 6.C.iv., 30 Tex. Admin. Code §§ 115.244 and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to perform daily inspections of the fuel dispensing facilities. Specifically, the Respondent reported that, from March 3 through March 5, 2006, it failed to perform the required daily inspections of the Stage II vapor recovery system for defects, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 3

3 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$3,000

Three single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$13,091

This violation Final Assessed Penalty (adjusted for limits) \$13,091

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 33070
Reg. Ent. Reference No.: RN100542281
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	3-Mar-2006	19-Apr-2006	0.1	\$1	n/a	\$1
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to train personnel on inspection requirements and procedures. The Date Required is the date of the first failure to inspect, and the Final Date is the date the Respondent reported that it had completed a review of inspection procedures with its personnel.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$1

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 3

Rule Cite(s) FOP O-02181, STC 1.A. and 6.B.ii., 30 Tex. Admin. Code §§ 115.212(a)(3)(A)(ii) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to provide proper emissions control for waste material. Specifically, the Respondent reported that, twice on February 27, once on August 27, 2006, it placed volatile organic compounds ("VOC") liquids, residuals from a transport vessel transfer operation, into portable containers that were not vapor-tight, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could be exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

3 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$5,000

Two quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$21,819

This violation Final Assessed Penalty (adjusted for limits) \$21,819

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media: Air
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	27-Feb-2006	26-Oct-2006	0.7	\$7	n/a	\$7
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to train personnel on waste handling procedures. The Date Required is the date of the first reported violation, and the Final Date is the date the Respondent reported that it had completed a review of procedures with its personnel.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$7

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 4

Rule Cite(s) FOP O-02181, STC 1.A. and 7.A., 30 Tex. Admin. Code §§ 117.206(i) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with restriction on engine operating hours in an ozone nonattainment area. Specifically, the Respondent reported that, on four occasions from October 19 through November 9, 2005, it conducted testing or maintenance on two diesel engines (EUTP803A and EUTP803B) during the restricted hours of 6 a.m. to noon, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment were exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

4 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$10,910

This violation Final Assessed Penalty (adjusted for limits) \$10,910

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No: 33070
 Reg. Ent. Reference No: RN100542281
 Media: Air
 Violation No: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	19-Oct-2005	19-Apr-2006	0.5	\$5	n/a	\$5
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to train personnel on engine operating restrictions. The Date Required is the date of the first reported violation, and the Final Date is the date the Respondent reported that it had completed a review of procedures with its personnel.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$200	TOTAL	\$5
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Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 5

Rule Cite(s) FOP O-02181, STC 1.A. and 7.E., 30 Tex. Admin. Code §§ 117.219(f)(10) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to record the start and stop times of a diesel engine operating in an ozone nonattainment area. Specifically, the Respondent reported that it failed to record those times on November 17, 2005 for diesel pump EUTEN1, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Equistar failed to comply with less than 30% of the rule.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$436

This violation Final Assessed Penalty (adjusted for limits) \$436

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 33070
Reg. Ent. Reference No.: RN100542281
Media: Air
Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	17-Nov-2005	19-Apr-2006	0.4	\$4	n/a	\$4
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to train personnel on record keeping procedures. The Date Required is the date of the reported violation, and the Final Date is the date the Respondent reported that it had completed a review of procedures with its personnel.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$4

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 6

Rule Cite(s) FOP O-02181, STC 1.A., 30 Tex. Admin. Code § 115.144(4)(A), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to demonstrate VOC reduction efficiency for the ECUABEAST bio-treatment unit. Specifically, this unit was in operation since 1997, and was required to have its reduction efficiency demonstrated by December 31, 2002, but the Respondent failed to make that demonstration, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

1,114 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5,992

Violation Final Penalty Total \$4,364

This violation Final Assessed Penalty (adjusted for limits) \$4,364

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$5,000	31-Dec-2002	18-Jan-2006	4.0	\$992	\$5,000	\$5,992
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated costs to have conducted performance testing on the bio-treatment unit. The Date Required is the date testing was required by the rule, and the Final Date is the date the Respondent installed abatement equipment.

Approx. Cost of Compliance

\$5,000

TOTAL

\$5,992

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 7

Rule Cite(s)

30 Tex. Admin. Code § 115.725(d)(1) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to timely conduct flare analyzer calibrations. Specifically, the Respondent reported that it was required to perform initial flare analyzer calibrations on Flares 607 and 1701 (highly reactive volatile organic compounds abatement devices) by January 1, 2006, but did not perform those calibrations until June 16, 2006, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$9,000

\$1,000

Violation Events

2

166

Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,000

Two single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$126

Violation Final Penalty Total \$8,728

This violation Final Assessed Penalty (adjusted for limits) \$8,728

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No: 33070
 Reg. Ent. Reference No: RN100542281
 Media: Air
 Violation No: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	1-Jan-2006	16-Jun-2006	0.5	\$2	\$30	\$32
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	1-Jan-2006	19-Nov-2007	1.9	\$94	n/a	\$94

Notes for DELAYED costs

Estimated costs to calibrate flares (\$1,000) and to work with supplier to more timely provide calibration gas (\$1,000). The Date Required is the date calibrations were due, and the calibration Final Date is the date the Respondent reported the calibrations had been completed. November 19, 2007 is the date the Respondent reported that calibration gas issues with the supplier had been resolved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$126

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 8

Rule Cite(s) 40 CFR § 63.10(d)(5)(i), 30 Tex. Admin. Code § 101.20(2), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the requirements of malfunction reporting for the wastewater steam stripper (EUTT8802). Specifically, in its report for the period April 1 to September 30, 2006, the Respondent reported that, on June 25, 2006, and between July 17 and August 7, 2006, seven stripper column malfunctions occurred. However, the Respondent failed to state the cause of the malfunctions and failed to state what actions were taken to minimize emissions, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Equistar failed to comply with less than 30% of the rule.

Adjustment \$9,900

\$100

Violation Events

1

1

Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended for the one deficient report.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$117

Violation Final Penalty Total \$436

This violation Final Assessed Penalty (adjusted for limits) \$436

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 33070
Reg. Ent. Reference No.: RN100542281
Media: Air
Violation No.: 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$2,000	30-Oct-2006	1-Jan-2008	1.2	\$117	n/a	\$117
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to improve reporting procedures and prepare and submit a corrected report. The Date Required is the date the deficient report was due, and the Final Date is the date the Respondent is expected to have completed improvements to its record keeping system and to have submitted a corrected report.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$117

Screening Date 27-Mar-2007

Docket No. 2007-0493-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33070

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Terry Murphy

Violation Number 9

Rule Cite(s) FOP O-02181, STC 1.A. and 22., New Source Review Permit 2128, Special Condition 8.E., 30 Tex. Admin. Code §§ 101.20(1), 101.20(2), 115.352(4), 116.115(c), and 122.143(4), 40 CFR §§ 60.482-6(a)(2) and 63.167(a)(1), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to equip open-ended lines with a cap, blind flange, plug, or a second valve. Specifically, the Respondent reported that it found the following noncompliant, open-ended lines: one on the main flare header, three on other lines in VOC service, and eight others on lines in hazardous air pollutant service. These were found on November 15, 2005, February 13, 2006, and August 27, 2006, respectively, and all were provided with caps or plugs within a day of their discovery, as documented during an investigation conducted on January 29, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment were exposed to insignificant amounts of pollutants not exceeding levels protective of human health or environmental receptors as a result of the violations.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

3 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$5,000

Two quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$70

Violation Final Penalty Total \$21,819

This violation Final Assessed Penalty (adjusted for limits) \$21,819

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
 Case ID No. 33070
 Reg. Ent. Reference No. RN100542281
 Media Air
 Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	15-Nov-2005	14-Nov-2006	1.0	\$3	\$66	\$70
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to cap open-ended lines and provide additional training. The Date Required is the date of the first reported discovery of open ended lines, and the Final Date is the date by which the Respondent had provided additional personnel training on the regulatory requirements of open-ended lines in VOC service.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$70

Compliance History

Customer/Respondent/Owner-Operator:	CN600124705	Equistar Chemicals, LP	Classification: AVERAGE	Rating: 3.00
Regulated Entity:	RN100542281	CHANNELVIEW COMPLEX	Classification: AVERAGE	Site Rating: 2.25

ID Number(s):

	ACCOUNT NUMBER	
AIR OPERATING PERMITS		HG0033B
AIR OPERATING PERMITS	PERMIT	1426
AIR OPERATING PERMITS	PERMIT	2174
AIR OPERATING PERMITS	PERMIT	2175
AIR OPERATING PERMITS	PERMIT	2176
AIR OPERATING PERMITS	PERMIT	2177
AIR OPERATING PERMITS	PERMIT	2178
AIR OPERATING PERMITS	PERMIT	2179
AIR OPERATING PERMITS	PERMIT	2180
AIR OPERATING PERMITS	PERMIT	2181
AIR OPERATING PERMITS	PERMIT	2182
AIR OPERATING PERMITS	PERMIT	2183
AIR OPERATING PERMITS	PERMIT	2184
AIR OPERATING PERMITS	PERMIT	2185
WASTEWATER	PERMIT	WQ0000391000
WASTEWATER	PERMIT	TPDES0003531
WASTEWATER	PERMIT	TX0003531
AIR NEW SOURCE PERMITS	PERMIT	1768
AIR NEW SOURCE PERMITS	PERMIT	2128
AIR NEW SOURCE PERMITS	PERMIT	2933
AIR NEW SOURCE PERMITS	PERMIT	2935
AIR NEW SOURCE PERMITS	PERMIT	2936
AIR NEW SOURCE PERMITS	PERMIT	3130A
AIR NEW SOURCE PERMITS	PERMIT	3294
AIR NEW SOURCE PERMITS	PERMIT	3627
AIR NEW SOURCE PERMITS	PERMIT	6245
AIR NEW SOURCE PERMITS	PERMIT	6387
AIR NEW SOURCE PERMITS	PERMIT	8123
AIR NEW SOURCE PERMITS	PERMIT	8125
AIR NEW SOURCE PERMITS	PERMIT	10586
AIR NEW SOURCE PERMITS	PERMIT	10700
AIR NEW SOURCE PERMITS	PERMIT	10812
AIR NEW SOURCE PERMITS	PERMIT	11735
AIR NEW SOURCE PERMITS	PERMIT	12334
AIR NEW SOURCE PERMITS	PERMIT	13849
AIR NEW SOURCE PERMITS	PERMIT	15348
AIR NEW SOURCE PERMITS	PERMIT	12341
AIR NEW SOURCE PERMITS	PERMIT	22779
AIR NEW SOURCE PERMITS	PERMIT	23079
AIR NEW SOURCE PERMITS	PERMIT	24677
AIR NEW SOURCE PERMITS	PERMIT	24887
AIR NEW SOURCE PERMITS	PERMIT	30868
AIR NEW SOURCE PERMITS	PERMIT	32324
AIR NEW SOURCE PERMITS	PERMIT	32136
AIR NEW SOURCE PERMITS	PERMIT	32629
AIR NEW SOURCE PERMITS	PERMIT	33899
AIR NEW SOURCE PERMITS	PERMIT	34036
AIR NEW SOURCE PERMITS	PERMIT	34897
AIR NEW SOURCE PERMITS	PERMIT	38750
AIR NEW SOURCE PERMITS	PERMIT	42948
AIR NEW SOURCE PERMITS	PERMIT	43770
AIR NEW SOURCE PERMITS	PERMIT	45332
AIR NEW SOURCE PERMITS	PERMIT	46417
AIR NEW SOURCE PERMITS	PERMIT	47326
AIR NEW SOURCE PERMITS	PERMIT	47487
AIR NEW SOURCE PERMITS	PERMIT	50141
AIR NEW SOURCE PERMITS	PERMIT	50142
AIR NEW SOURCE PERMITS	PERMIT	50165
AIR NEW SOURCE PERMITS	PERMIT	50322
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0033B
AIR NEW SOURCE PERMITS	PERMIT	50812
AIR NEW SOURCE PERMITS	PERMIT	52720
AIR NEW SOURCE PERMITS	PERMIT	52726
AIR NEW SOURCE PERMITS	PERMIT	54098
AIR NEW SOURCE PERMITS	REGISTRATION	54602
AIR NEW SOURCE PERMITS	PERMIT	54801

AIR NEW SOURCE PERMITS	PERMIT	55104
AIR NEW SOURCE PERMITS	PERMIT	55669
AIR NEW SOURCE PERMITS	AFS NUM	4820100075
AIR NEW SOURCE PERMITS	REGISTRATION	56137
AIR NEW SOURCE PERMITS	PERMIT	PSDTX991
AIR NEW SOURCE PERMITS	PERMIT	70201
AIR NEW SOURCE PERMITS	REGISTRATION	70323
AIR NEW SOURCE PERMITS	PERMIT	49120
AIR NEW SOURCE PERMITS	PERMIT	49130
AIR NEW SOURCE PERMITS	REGISTRATION	76017
AIR NEW SOURCE PERMITS	REGISTRATION	75881
AIR NEW SOURCE PERMITS	REGISTRATION	76313
AIR NEW SOURCE PERMITS	REGISTRATION	76277
AIR NEW SOURCE PERMITS	PERMIT	71143
AIR NEW SOURCE PERMITS	PERMIT	70203
AIR NEW SOURCE PERMITS	PERMIT	54063
AIR NEW SOURCE PERMITS	PERMIT	51727
AIR NEW SOURCE PERMITS	PERMIT	55680
AIR NEW SOURCE PERMITS	REGISTRATION	72713
AIR NEW SOURCE PERMITS	PERMIT	72755
AIR NEW SOURCE PERMITS	REGISTRATION	72948
AIR NEW SOURCE PERMITS	REGISTRATION	72946
AIR NEW SOURCE PERMITS	REGISTRATION	73859
AIR NEW SOURCE PERMITS	REGISTRATION	74051
AIR NEW SOURCE PERMITS	REGISTRATION	74110
AIR NEW SOURCE PERMITS	REGISTRATION	74162
AIR NEW SOURCE PERMITS	REGISTRATION	74181
AIR NEW SOURCE PERMITS	REGISTRATION	74366
AIR NEW SOURCE PERMITS	REGISTRATION	74374
AIR NEW SOURCE PERMITS	PERMIT	74385
AIR NEW SOURCE PERMITS	REGISTRATION	74416
AIR NEW SOURCE PERMITS	REGISTRATION	74563
AIR NEW SOURCE PERMITS	REGISTRATION	74944
AIR NEW SOURCE PERMITS	REGISTRATION	74949
AIR NEW SOURCE PERMITS	REGISTRATION	75322
AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	REGISTRATION	76651
AIR NEW SOURCE PERMITS	REGISTRATION	76666
AIR NEW SOURCE PERMITS	REGISTRATION	76693
AIR NEW SOURCE PERMITS	REGISTRATION	76778
AIR NEW SOURCE PERMITS	REGISTRATION	76791
AIR NEW SOURCE PERMITS	REGISTRATION	77318
AIR NEW SOURCE PERMITS	REGISTRATION	77619
AIR NEW SOURCE PERMITS	REGISTRATION	77640
AIR NEW SOURCE PERMITS	REGISTRATION	77631
AIR NEW SOURCE PERMITS	REGISTRATION	78024
AIR NEW SOURCE PERMITS	REGISTRATION	78069
AIR NEW SOURCE PERMITS	REGISTRATION	78108
AIR NEW SOURCE PERMITS	REGISTRATION	78114
AIR NEW SOURCE PERMITS	REGISTRATION	78128
AIR NEW SOURCE PERMITS	REGISTRATION	78173
AIR NEW SOURCE PERMITS	REGISTRATION	78191
AIR NEW SOURCE PERMITS	REGISTRATION	78197
AIR NEW SOURCE PERMITS	REGISTRATION	78252
AIR NEW SOURCE PERMITS	REGISTRATION	78278
AIR NEW SOURCE PERMITS	REGISTRATION	78343
AIR NEW SOURCE PERMITS	REGISTRATION	78381
AIR NEW SOURCE PERMITS	REGISTRATION	78560
AIR NEW SOURCE PERMITS	REGISTRATION	78772
AIR NEW SOURCE PERMITS	REGISTRATION	78819
AIR NEW SOURCE PERMITS	REGISTRATION	78978
AIR NEW SOURCE PERMITS	REGISTRATION	78599
AIR NEW SOURCE PERMITS	PERMIT	72756
AIR NEW SOURCE PERMITS	REGISTRATION	79261
AIR NEW SOURCE PERMITS	REGISTRATION	79431
AIR NEW SOURCE PERMITS	REGISTRATION	79460
AIR NEW SOURCE PERMITS	REGISTRATION	79647
AIR NEW SOURCE PERMITS	REGISTRATION	79712
AIR NEW SOURCE PERMITS	REGISTRATION	79892
AIR NEW SOURCE PERMITS	REGISTRATION	79938
AIR NEW SOURCE PERMITS	REGISTRATION	80296
AIR NEW SOURCE PERMITS	REGISTRATION	80137
AIR NEW SOURCE PERMITS	REGISTRATION	80449
AIR NEW SOURCE PERMITS	REGISTRATION	80597
AIR NEW SOURCE PERMITS	REGISTRATION	80689
AIR NEW SOURCE PERMITS	REGISTRATION	80914

AIR NEW SOURCE PERMITS	REGISTRATION	81190
AIR NEW SOURCE PERMITS	REGISTRATION	81189
AIR NEW SOURCE PERMITS	REGISTRATION	81543
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD058275769
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30030
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50117
UNDERGROUND INJECTION CONTROL	PERMIT	WDW036
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011578
WATER LICENSING	LICENSE	1011578
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30030

Location: 8280 SHELDON RD BLDG 1, CHANNELVIEW, TX, 77530 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 11, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 11, 2002 to April 11, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Terry Murphy Phone: (512) 239-5025

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/02/2002	ADMINORDER 2001-1516-AIR-E (1660)
Classification: Moderate	
Citation: 40 CFR Part 61, Subpart FF 61.342(c)(1)(ii)	
40 CFR Part 61, Subpart FF 61.343(a)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failure to prevent unauthorized emissions as a result of a spill from a permitted tank.	
Effective Date: 04/13/2003	ADMINORDER 1999-1410-AIR-E (1660)
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to have the required vapor recovery system or submerged fill pipe at the time of inspection on Tank No. 6901 in VOC service.	
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(B)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to keep copies of each marine vessel's certification of annual vapor tightness tests for marine loading operations at the Plant.	
Classification: Moderate	
Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(F)	
30 TAC Chapter 115, SubChapter D 115.356(3)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to maintain calibration records for VOC monitoring instruments for two years. Calibration records from the first, second and fourth quarters of 1997 and the first quarter of 1998 were unavailable.	
Classification: Moderate	
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)	
40 CFR Part 61, SubChapter C, PT 61, SubPT W 61.275(a)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to submit results of seal inspections for Tanks 3111A, 3111B, 3113 and 4916 w/i 60 days after Equistar completed the seal inspections on April 21 thru April 27, 1998.	
Classification: Moderate	
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)	
40 CFR Part 60, Subpart Kb 60.115b(b)(2)	
5C THC Chapter 382, SubChapter A 382.085(b)	
Description: Failed to submit a seal inspection report for Tank No. 4922 and Tank No. 33 within 60 days of	

inspection.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(G)
30 TAC Chapter 115, SubChapter D 115.355(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)
40 CFR Part 60, Subpart VV 60.482-2[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
40 CFR Part 61, Subpart V 61.242-7(a)
40 CFR Part 61, Subpart V 61.245(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly monitor fugitive emissions for several units, including the Olefins Plant I and Tank Farm, Olefins Plant II and Tank Farm, Butadiene Plants E and W, Barge Dock, Benzene/Toluene Unit, East Tank Farm, LMTBE Unit and the MeOH Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to perform seal gap measurements on Tanks TK-26, TK-3115, TK-3112, and TK-4921 on an annual basis in 1998.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification as required by Standard Exemption 106 (effective August 25, 1986) when the 1200 Unit was modified to produce a new product.

Effective Date: 12/02/2006

ADMINORDER 2006-0515-AIR-E (findings)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: S.C. 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions from an aboveground storage tank pressure safety valve.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/22/2002	(156273)	111	08/31/2003	(134179)	223	04/06/2005	(375076)
2	05/22/2002	(1339)	112	08/31/2003	(134175)	224	04/18/2005	(375016)
			113	10/01/2003	(249301)	225	04/20/2005	(376147)
3	05/22/2002	(1314)	114	10/01/2003	(249144)	226	04/20/2005	(372583)
4	05/23/2002	(156277)	115	10/01/2003	(249012)	227	04/22/2005	(346277)
5	06/05/2002	(2105)	116	10/01/2003	(249172)	228	04/25/2005	(377509)
6	06/10/2002	(2233)	117	10/01/2003	(248879)	229	05/03/2005	(419501)
7	06/12/2002	(1611)	118	10/01/2003	(248981)	230	05/24/2005	(419502)
8	06/24/2002	(2701)	119	10/01/2003	(248243)	231	06/14/2005	(393497)
9	06/24/2002	(156281)	120	10/03/2003	(249082)	232	06/21/2005	(419503)
10	06/24/2002	(2914)	121	10/07/2003	(250145)	233	06/22/2005	(381407)
11	07/19/2002	(5534)	122	10/17/2003	(294653)	234	06/22/2005	(392621)
12	07/19/2002	(5345)	123	10/23/2003	(294655)	235	06/23/2005	(378466)
13	07/19/2002	(4814)	124	11/05/2003	(254238)	236	06/23/2005	(378454)
14	07/19/2002	(4569)	125	11/18/2003	(294656)	237	07/15/2005	(395098)
15	07/23/2002	(156285)	126	12/29/2003	(294657)	238	07/18/2005	(392902)
16	07/31/2002	(5089)	127	01/23/2004	(294658)	239	07/22/2005	(392487)
17	08/01/2002	(4981)	128	02/24/2004	(294639)	240	07/22/2005	(381313)
18	08/02/2002	(6606)	129	03/15/2004	(255945)	241	07/22/2005	(392651)
19	08/06/2002	(7028)	130	03/22/2004	(294642)	242	07/22/2005	(394428)
20	08/06/2002	(7144)	131	03/23/2004	(263250)	243	07/25/2005	(440656)
21	08/06/2002	(7204)	132	03/23/2004	(263160)	244	07/26/2005	(399215)
22	08/06/2002	(7234)	133	03/23/2004	(263194)	245	08/05/2005	(381400)
23	08/07/2002	(7141)	134	03/23/2004	(263154)	246	08/05/2005	(392610)
24	08/08/2002	(2391)	135	03/24/2004	(256278)	247	08/05/2005	(393207)
25	08/09/2002	(2626)	136	04/14/2004	(264758)	248	08/11/2005	(404370)
26	08/09/2002	(7549)	137	04/15/2004	(453160)	249	08/11/2005	(404367)
27	08/09/2002	(4157)	138	04/23/2004	(294643)	250	08/11/2005	(404342)

28	08/09/2002	(5980)	139	05/19/2004	(270464)	251	08/11/2005	(404321)
29	08/09/2002	(2387)	140	05/24/2004	(294645)	252	08/12/2005	(399221)
30	08/12/2002	(6957)	141	06/08/2004	(270126)	253	08/15/2005	(404957)
31	08/13/2002	(7700)	142	06/21/2004	(294647)	254	08/23/2005	(440657)
32	08/16/2002	(5841)	143	06/30/2004	(273943)	255	08/24/2005	(406415)
33	08/19/2002	(8124)	144	06/30/2004	(271411)	256	08/26/2005	(372787)
34	08/21/2002	(156288)	145	06/30/2004	(274359)	257	08/29/2005	(406161)
35	08/22/2002	(5939)	146	06/30/2004	(274423)	258	09/13/2005	(431694)
36	08/22/2002	(5772)	147	07/09/2004	(278834)	259	10/24/2005	(440658)
37	08/27/2002	(7197)	148	07/13/2004	(260492)	260	10/26/2005	(440659)
38	08/28/2002	(8742)	149	07/19/2004	(260586)	261	11/15/2005	(434603)
39	08/30/2002	(10526)	150	07/25/2004	(351828)	262	11/18/2005	(437299)
40	08/30/2002	(10522)	151	07/29/2004	(263469)	263	11/22/2005	(468155)
41	09/04/2002	(8299)	152	08/04/2004	(280108)	264	11/28/2005	(468154)
42	09/10/2002	(10385)	153	08/04/2004	(280174)	265	12/01/2005	(435325)
43	09/18/2002	(11434)	154	08/11/2004	(284585)	266	12/08/2005	(434728)
44	09/23/2002	(156291)	155	08/13/2004	(277268)	267	12/19/2005	(438915)
45	10/21/2002	(156294)	156	08/23/2004	(259476)	268	12/21/2005	(468156)
46	11/25/2002	(156298)	157	08/24/2004	(351829)	269	02/15/2006	(455481)
47	11/27/2002	(14344)	158	08/27/2004	(265746)	270	02/22/2006	(450109)
48	12/19/2002	(156302)	159	08/27/2004	(269133)	271	02/24/2006	(451477)
49	12/27/2002	(15704)	160	08/27/2004	(265803)	272	02/27/2006	(468153)
50	12/30/2002	(17670)	161	08/27/2004	(266244)	273	02/28/2006	(451452)
51	01/02/2003	(18051)	162	08/29/2004	(268291)	274	02/28/2006	(451480)
52	01/09/2003	(16679)	163	08/31/2004	(276264)	275	02/28/2006	(451788)
53	01/21/2003	(156306)	164	08/31/2004	(271963)	276	02/28/2006	(451483)
54	01/30/2003	(23340)	165	08/31/2004	(272796)	277	02/28/2006	(451494)
55	02/05/2003	(23369)	166	08/31/2004	(274451)	278	03/13/2006	(454890)
56	02/24/2003	(4858)	167	09/01/2004	(286398)	279	03/23/2006	(498017)
57	02/24/2003	(156266)	168	09/01/2004	(289083)	280	03/24/2006	(457373)
58	02/26/2003	(20471)	169	09/01/2004	(289240)	281	03/28/2006	(453139)
59	03/07/2003	(20710)	170	09/10/2004	(273388)	282	03/29/2006	(459500)
60	03/07/2003	(9862)	171	09/16/2004	(263553)	283	03/31/2006	(455940)
61	03/18/2003	(20944)	172	09/23/2004	(351830)	284	04/24/2006	(498018)
62	03/24/2003	(156269)	173	10/25/2004	(351831)	285	04/28/2006	(462755)
63	04/11/2003	(24878)	174	10/25/2004	(351833)	286	05/16/2006	(463873)
64	04/11/2003	(24871)	175	11/01/2004	(285942)	287	05/23/2006	(498019)
65	04/11/2003	(24868)	176	11/03/2004	(334297)	288	05/23/2006	(466508)
66	04/13/2003	(31335)	177	11/05/2004	(334314)	289	05/24/2006	(465260)
67	04/22/2003	(156274)	178	11/05/2004	(334310)	290	05/31/2006	(480441)
68	04/23/2003	(33871)	179	11/05/2004	(334308)	291	05/31/2006	(480422)
69	04/25/2003	(33319)	180	11/11/2004	(292333)	292	05/31/2006	(480433)
70	04/25/2003	(28077)	181	11/11/2004	(292452)	293	05/31/2006	(480405)
71	05/07/2003	(27054)	182	11/14/2004	(275792)	294	05/31/2006	(480427)
72	05/08/2003	(35681)	183	11/22/2004	(293289)	295	05/31/2006	(480444)
73	05/15/2003	(282930)	184	11/22/2004	(339105)	296	06/21/2006	(498020)
74	05/19/2003	(36187)	185	11/22/2004	(339107)	297	06/26/2006	(464019)
75	05/23/2003	(156278)	186	11/23/2004	(334387)	298	06/30/2006	(483427)
76	06/13/2003	(38138)	187	11/23/2004	(351832)	299	07/07/2006	(484895)
77	06/18/2003	(38117)	188	11/23/2004	(334429)	300	07/17/2006	(464664)
78	06/24/2003	(156282)	189	11/29/2004	(274800)	301	07/17/2006	(460500)
79	06/27/2003	(114332)	190	12/06/2004	(275639)	302	07/19/2006	(480415)
80	07/08/2003	(114317)	191	12/06/2004	(341908)	303	07/20/2006	(486401)
81	07/08/2003	(114279)	192	12/09/2004	(343543)	304	07/24/2006	(520033)
82	07/08/2003	(114581)	193	12/14/2004	(339112)	305	07/28/2006	(484749)
83	07/08/2003	(114388)	194	12/15/2004	(339111)	306	08/04/2006	(339110)
84	07/11/2003	(38147)	195	12/27/2004	(381708)	307	08/15/2006	(482128)
85	07/11/2003	(112449)	196	12/27/2004	(276826)	308	08/15/2006	(481194)
86	07/23/2003	(294649)	197	12/28/2004	(343601)	309	08/15/2006	(489890)
87	08/04/2003	(64101)	198	01/03/2005	(286756)	310	08/16/2006	(457265)
88	08/06/2003	(147467)	199	01/03/2005	(339113)	311	08/21/2006	(520034)
89	08/06/2003	(147338)	200	01/04/2005	(339104)	312	09/01/2006	(510768)
90	08/12/2003	(148968)	201	01/05/2005	(339108)	313	09/05/2006	(486742)
91	08/12/2003	(148934)	202	01/07/2005	(339103)	314	09/25/2006	(520035)
92	08/12/2003	(112317)	203	01/10/2005	(343232)	315	10/04/2006	(488324)
93	08/12/2003	(148923)	204	01/12/2005	(346553)	316	10/24/2006	(544282)
94	08/14/2003	(149856)	205	01/18/2005	(336265)	317	11/21/2006	(516667)
95	08/14/2003	(149867)	206	02/10/2005	(349636)	318	11/27/2006	(544283)
96	08/14/2003	(141032)	207	02/10/2005	(349316)	319	11/30/2006	(531615)
97	08/14/2003	(149824)	208	02/10/2005	(349111)	320	12/11/2006	(519152)

98	08/19/2003	(149893)	209	02/10/2005	(337111)	321	12/19/2006	(544284)
99	08/19/2003	(149887)	210	02/10/2005	(349267)	322	12/29/2006	(535494)
100	08/19/2003	(149908)	211	02/11/2005	(336418)	323	01/23/2007	(544285)
101	08/22/2003	(149977)	212	02/11/2005	(336433)	324	01/30/2007	(538091)
102	08/25/2003	(149897)	213	02/11/2005	(336438)	325	01/31/2007	(537102)
103	08/25/2003	(294651)	214	02/17/2005	(343594)	326	01/31/2007	(517108)
104	08/25/2003	(151586)	215	02/23/2005	(381706)	327	01/31/2007	(537091)
105	08/25/2003	(151756)	216	02/25/2005	(345588)	328	01/31/2007	(537099)
106	08/25/2003	(151765)	217	03/03/2005	(339106)	329	02/08/2007	(538420)
107	08/27/2003	(152697)	218	03/22/2005	(381707)	330	02/22/2007	(485046)
108	08/27/2003	(13764)	219	03/28/2005	(375234)	331	02/27/2007	(532597)
109	08/29/2003	(152195)	220	03/28/2005	(375220)	332	03/21/2007	(532595)
110	08/29/2003	(152183)	221	03/28/2005	(375212)	333	04/05/2007	(532607)
			222	03/31/2005	(373125)	334	04/10/2007	(532608)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 06/30/2002 (156285)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/31/2002 (156288)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 09/30/2002 (156294)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 10/31/2002 (156298)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 01/27/2003 (15704)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
Description: Failure to control emissions.
Date: 01/31/2003 (156266)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 02/10/2003 (24871)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(1)
Description: Failure to prevent unauthorized emissions.
Date: 02/28/2003 (156269)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 03/07/2003 (9862)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7(b)(1)(G)
30 TAC Chapter 101, SubChapter A 101.7(c)(7)
Description: Failure to document the actions taken to minimize emissions in both the initial and final
notification records for a start-up event on 02/16/2002.
Date: 03/31/2003 (156274)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 04/11/2003 (24868)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: Failure to prevent unauthorized emissions.
Date: 04/30/2003 (156278)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 05/31/2003 (156282)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/31/2003 (294651)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 08/31/2003 (294653)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 09/30/2003 (294655)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 10/01/2003 (248879)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to comply with the MAERT limit for EPN: 44E10.
Date: 10/01/2003 (248243)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to comply with the MAERT limit.
Date: 10/01/2003 (249082)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to torque the flange properly.
Date: 10/01/2003 (249144)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to comply with the MAERT limit for EPN 17E01
Date: 10/01/2003 (249301)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to comply with permit limit for VOC, CO and NO (EPN: 48E01).
Date: 10/01/2003 (249012)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to comply with the MAERT limit for EPN 6E07.
Date: 10/01/2003 (249172)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to submit the initial report within 24 hours.
Date: 10/01/2003 (248981)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to comply with the state rule 30 TAC 116.116(a)(1) which resulted in unauthorized emissions.
Date: 02/29/2004 (294642)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/13/2004 (260492)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ AIR PERMIT #1768, SC #1
Description: Exceeded VOC emissions limits during an avoidable emissions event.

Date: 07/19/2004 (260586)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to identify the facility name in an emissions event notification.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
 Description: Equistar failed to submit an electronic final emissions event notification.
 Date: 07/28/2004 (259476)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 08/11/2004 (263553)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to speculate VOC in the Initial Notification and Final Report submitted for an avoidable emissions event.
 Date: 08/27/2004 (265746)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
 Description: Equistar failed to properly complete and submit an emissions event notification.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded permit limits during an avoidable emissions event.
 Date: 08/29/2004 (268291)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar exceeded VOC permit limit.
 Date: 08/31/2004 (272796)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit administratively complete emissions event notifications.
 Date: 08/31/2004 (271963)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(F)
 30 TAC Chapter 101, SubChapter F 101.211(b)(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Equistar was not in compliance with the maintenance, startup, and shutdown rules.
 Date: 10/31/2004 (351832)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/27/2004 (276826)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Air Permit No. 2933, GC #8
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 01/03/2005 (286756)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 22779
 Description: Equistar failed to prevent an avoidable emissions event.
 Date: 01/04/2005 (339104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar failed to prevent an avoidable emissions event.
 Date: 01/10/2005 (343232)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(II)

Description: Failure to provide an adequate ground storage capacity.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
Date: 04/20/2005 (372583)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
Description: Equistar failed to submit the Final Report electronically.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Permit No. 22779, Special Condition No.1
Description: Equistar failed to prevent an avoidable emissions event.
Date: 08/05/2005 (381400)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on furnace 3403.
Date: 08/05/2005 (393207)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4406.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on F4410.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4401.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 3401.
Date: 08/05/2005 (392610)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(ii)(II)
Description: Failure to test within 60 days following installation of NOx control equipment on Furnace 4404.
Date: 08/10/2005 (404514)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Permit #2128, GC #8
Description: Failure to prevent a leak in Tower T-301.
Date: 09/13/2005 (431694)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
Description: Failure to provide an adequate ground storage capacity.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
Description: Failure to provide a minimum pressure tank capacity of 220 gallons.
Date: 11/18/2005 (437299)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 3130A, SC No. 4
OP 002179, ST&C No. 10
Description: Failure to operate within pumping rates of Polyols(KOH) and (IMPACT).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)[G]
Description: Failure to install the totalizing fuel flow meter on EGBVC6904.
Date: 12/08/2005 (434728)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.222(k)(3)
Description: Failure to submit the off-permit notification for claiming the permit by rule for flare emissions.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
Description: Failure to register the PBR within 10 of increase in flare emissions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)

Rqmt Prov: PERMIT 49130, S.C. No.5
OP O-02180, S.C No.1A

Description: Failure to follow the fugitive monitoring for 172 valves and 5 pumps in the Isopropanol Unit

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02180, SC. 1.A

Description: Failure to have required information on tags attached to visual fugitive leaks

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PERMIT 49130, SC 5.E
OP O-02180, SC 1.A

Description: Failure to cap or plug the five open-ended lines in VOC service

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 49130, S.C 7
OP O-02180, S.C 11

Description: Failure to follow the procedure described in Appendix P, Section 5.5.1 for monitoring the cooling tower (CT-2401) as required by the permit condition

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failure to report the deviations regarding the cooling tower monitoring in the deviation reports

Date: 12/19/2005 (438915)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)

Description: Failure to submit the federal operating permit (O-02177) minor revision application concurrent with the permit amendment issued on July 26, 2005 and permit by rules claimed in 1997 and 2002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 1
OP O-02177, STC 10

Description: Failure to operate tanks and loading arms within maximum allowable emission rates as permitted in the NSR permit 22779.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 8
OP O-02177, STC 10

Description: Failure to initiate the fugitive monitoring for 22 valves and 3 pumps in the Polybutadiene Unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 22779, SC 8.E
OP O-02177, STC 10

Description: Failure to cap or plug the five open-ended lines in VOC service

Date: 12/31/2005 (440659)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/22/2006 (450109)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 24887 SC1.E
OP O02176, SC 15

Description: Failure to cap or plug the eighty five (85) open-ended lines in VOC service

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(3)

Description: Failure to register the PBRs 106.261 and 106.262 within 10 days of addition of a flare analyzer and failure to make off-permit notification concurrently.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)[G]		
Description:	Failure to represent the several sources that are subject to 30 TAC 111 rules in the Title V Operating Permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 24887, SC 1 OP 002176, SC 15		
Description:	Failure to include 19 valves and 39 connectors associated with sample systems and failure to include 5 pumps, 38 valves, 104 connectors, and 4 sample points in the fugitive monitoring database.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142[G] 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP 002176, SC 5		
Description:	Failure to control the wastewater streams as required by 30 TAC 115.142.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(5)		
Rqmt Prov:	OP 002176, SC 1.A		
Description:	Failure to make the tank seal inspection notification 30 days in advance.		
Date:	02/28/2006 (451788)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	PA NSR Permit No. 8125, SC 6E		
Description:	Failure to plug two open-ended-lines.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.213(a)		
Description:	Failure to install fuel flow meter on Diesel Engine, P-3314.		
Self Report?	NO	Classification:	Minor
Citation:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)		
Description:	Failure to include compressor information in the HON Subpart H Semiannual report.		
Self Report?	NO	Classification:	Minor
Citation:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(a)		
Description:	Failure to maintain appropriate records of 220 connectors, 6 instrument systems, 4 PSVs, 2 pumps, and 101 valves.		
Date:	03/24/2006 (457373)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)		
Description:	Failure to provide an adequate ground storage capacity.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)		
Description:	Failure to provide a minimum pressure tank capacity of 220 gallons.		
Date:	03/28/2006 (453139)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA NSR Permit No 2936, SC 10E OP O-02182 Special Terms and Condition 15		
Description:	Failed to plug 20 open-ended lines.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter C 122.222(k)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-02181 General Terms and Condition		
Description:	The facility failed to register two tanks and one cooling tower within ten (10) days of change as required during August 19, 2004 through November 22, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-02182 General Terms and Condition		
Description:	Failure to include compressor information in the HON Subpart H semiannual report for the reporting period from February 28, 2005 through August 19, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA Special Condition No. 10F
Description: OP Special Terms and Condition 15
failure to monitor 59 valves that were marked as unsafe to monitor during the third quarter of 2004 from August 19, 2004 through September 30, 2004.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Condition
Description: failure to put identification number for the leaking fugitive valves during August 19, 2004 through August 19, 2005.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Special Terms and Condition 15
Description: failure to include 89 connectors, 27 valves, and 19 pumps in the fugitive monitoring program during the third quarter of 2004 from August 19, 2004 through September 30, 2004.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Condition
Description: failure to obtain a permit by rule (PBR) for the emission point no. SP-4010.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Conditions
Description: failure to seal the external floating roof tank, TK-3112. The gasket on the rim vent was missing.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA SC No 1 of NSR Permit No. 2936.
Description: OP Special Terms and Conditions 15
failure to obtain appropriate authorization for storing hydrocarbons for the tanks, TK-3113 and TK-3114.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA Special Condition 1
Description: OP Special Terms and Condition 15
failure to comply with the pounds per hour of VOC emission limit for tank No. TK-4002 of TCEQ Air Permit 2936.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP General Terms and Conditions
Description: failure to obtain a permit by rule (PBR) for the analyzer vent.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include all the emission authorizations for the cooling tower were not represented in the title V permit.
Date: 03/29/2006 (459500) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit No. 2128
Description: Failure to prevent the release of unauthorized emissions from a railroad tank car PSV.
Date: 03/31/2006 (455940) Classification: Minor
Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G]
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to represent the two sources that are subject to 30 TAC 111 rules in the Title V Operating Permit O-02175.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6245, SC 1		
	OP 002175, STC 10		
Description:	Failure to operate tanks (TK30 & TK31) within maximum allowable emission rates as permitted in the NSR permit 6245.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 115, SubChapter D 115.352(4)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6245, SC 7.E		
	OP 002175, STC 10		
	OP 002175, STC 1A		
Description:	Failure to cap or plug the thirty-eight (38) open-ended lines in VOC service (C5 recovery unit).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 002175, STC 1A		
Description:	Failure to equip the dimer drum feed sampling connection system with closed loop.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 115, SubChapter D 115.354(5)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 002175, STC 1A		
Description:	Failure to have required information on tags attached to visual fugitive leaks		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 115, SubChapter D 115.352[G]		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 6245, SC 7		
	OP 002175, STC 10		
	OP 002175, STC 1A		
Description:	Failure to include 2 pumps, 32 valves, and 103 connectors in the C5 recovery unit in fugitive monitoring database.		
Date:	05/16/2006 (463873)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit No. 2128		
Description:	Failure to prevent the release of unauthorized emissions from a leaking pipeline due to the removal of a blind.		
Date:	05/24/2006 (465260)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.142(b)(2)[G]		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to correctly represent the HON storage vessel provisions, HON container provisions, and 30 TAC 111 rules in the Title V Operating Permit O-02185.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Part 63, Subpart G 63.119(c)(2)(ii)		
	5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02185, STC 16		
	OP O-02185, STC 1A		
	PERMIT Permit 6387, SC 2		
Description:	Failure to equip gasket on sample hatch cover and failure to have physical fasteners on float well cover on external floating roof tank (Tank 26).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Part 63, Subpart G 63.119(b)(6)		

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 16

Description: OP O-02185, STC 1A
Failure to cover all the openings on internal floating roof tanks: Tank 37 and Tank 47 and failure to have physical fasteners on float well covers on internal floating roof tanks: Tank 37, 48, and 49.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.119(b)(1)[G]
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 1.A
OP O-02185, STC 16

Description: Failure to keep the floating roof of Tank 47 always in contact with liquid surface during the regular operations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 4.A
OP O-02185, STC 16

Description: Failure to obtain authorization for the emissions resulted from analyzer vents in the MTBE Unit

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 1.A
OP O-02185, STC 16

Description: Failure to cap or plug the sixty-one (61) open-ended lines in VOC service in MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02185, STC 1.A

Description: Failure to have required information on tags attached to visual fugitive leaks in the MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)[G]
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 5
OP O-02185, STC 1.A
OP O-02185, STC 16

Description: Failure to include 2 valves in the MTBE Unit in fugitive monitoring database and comply with the fugitive monitoring requirements.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.142[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02185, SC 5

Description: Failure to control the one wastewater stream (T-1215) as required by 30 TAC 115.142 in MTBE Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(9)

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 1.A
OP O-02185, STC 16

Description: Failure to make the tank seal inspection (Tank-26) notification 30 days in advance in MTBE Unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 6387, SC 2
OP O-02185, STC 1.A

Description: OP O-02185, STC 16
 Failure to comply with HON process wastewater provisions for two containers in MTBE Unit.
 Date: 06/26/2006 (464019)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]
 Rqmt Prov: PERMIT 00391-000
 Description: Failure to document the sample collection time and the identify of the sample personnel for the Outfall 001
 24 hour composite samples.
 Date: 07/28/2006 (484749)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT No. 22779, Special Condition No. 1
 Description: Equistar failed to prevent this emissions event
 Date: 08/15/2006 (489890)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
 Description: Failure to update Notice of Registration
 Date: 08/16/2006 (457265)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(1)[G]
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(e)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to control emissions from drum D3075 and from tank TK20.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 2128, SC 10E
 OP O-02184, ST&C 18
 OP O-02184, ST&C 1A
 Description: Failure to cap or plug 174 open ended lines in VOC service.
 Self Report? NO Classification: Moderate
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to have a Startup/Shutdown/Malfunction plan to address visible emissions from east plant flare.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02184, ST&C 1A
 Description: Failure to conduct monthly monitoring on 4 HON pumps in January 2005.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02184, ST&C 1A
 Description: Failure to equip a sample point with a closed loop system on reactor effluent and T1204 overhead.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02184, ST&C 1H
 Description: Failure to have identification numbers on the fugitive leak tags attached to 51 components.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 30 TAC Chapter 122, SubChapter B 122.132(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to authorize emissions from sampling in the tank farm.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
PERMIT 2128, SC 10
OP O-02184, ST&C 18

Description: OP O-02184, ST&C 1A
Failure to include 16 pumps, 45 valves, and 292 connectors in the fugitive monitoring database.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02184, ST&C 13

Description: Failure to control emissions from 3 wastewater streams (D-78, D-3055, D-03102).
Date: 11/30/2006 (544284)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
Date: 02/01/2007 (538420)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 2933 Special Condition 1

Description: Failure to prevent process water collection system back-up which resulted in unauthorized emissions.
Date: 04/11/2007 (532608)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include Polyols loading emissions in federal operating permit O-02179.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-02179 SC 10
PA NSR 3130A SC 10D

Description: Failure to load Styrene within the allowable rates in NSR Permit 3130A.

F. Environmental audits.

Notice of Intent Date: 05/30/2002 (32973)
No DOV Associated
Notice of Intent Date: 06/20/2002 (32977)
No DOV Associated
Notice of Intent Date: 02/03/2003 (33157)
No DOV Associated
Notice of Intent Date: 07/26/2005 (453654)
No DOV Associated
Notice of Intent Date: 10/06/2005 (434934)
No DOV Associated
Notice of Intent Date: 11/28/2006 (534269)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EQUISTAR CHEMICALS, LP
RN100542281**

§ **BEFORE THE**
§
§ **TEXAS COMMISSION ON**
§
§ **ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0493-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, LP ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant at 8280 Sheldon Road in Channelview, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about March 4, 2007, March 25, 2007, and April 14, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Hundred Twenty-Eight Thousand Seven Hundred Twenty Dollars (\$228,720) is assessed by the Commission in settlement of the violations alleged in the Allegations. The Respondent has paid Ninety-One Thousand Four

Hundred Eighty-Nine Dollars (\$91,489) of the administrative penalty and Forty-Five Thousand Seven Hundred Forty-Two Dollars (\$45,742) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Ninety-One Thousand Four Hundred Eighty-Nine Dollars (\$91,489) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By March 29, 2007, retrained employees on oversight of the continuous monitoring recorder on the Methanol Skid (ECULR2MEOH);
 - b. By April 19, 2006, reviewed with its personnel the proper procedures for the daily inspection of the fuel dispensing facilities;
 - c. By October 26, 2006, provided proper emissions control for waste materials and reviewed with its personnel the proper procedures for waste handling;
 - d. By April 19, 2006, reviewed with its personnel the restrictions on engine operating hours;
 - e. By April 19, 2006, reviewed with its personnel the proper record keeping requirements for the start and stop time for diesel engines;
 - f. On January 18, 2006, installed a steam stripper upstream of the ECUABEAST bio-treatment unit that eliminated the further need to test the unit for volatile organic compound ("VOC") reduction efficiency;
 - g. By November 19, 2007, in order to address the untimely flare analyzer calibrations conducted on Flares 607 and 1701, resolved calibration gas issues with the supplier;
 - h. On November 14, 2006, provided additional personnel training on the regulatory requirements of open-ended lines in VOC service;
 - i. By March 27, 2006, replaced the open-ended lines discovered on January 12 and March 27, 2006;
 - j. By June 11, 2006, decreased nitrogen flow and reapplied clearing activities at a slower pace in order to maintain the required heat input to the Poly Butadiene unit flare at a value greater than 300 British thermal units per standard cubic foot ("Btu/scf");

- k. By September 13, 2006, implemented new record keeping practices on a more frequent weekly basis detailing all corrective actions made to the continuous monitoring system for the Poly Butadiene unit flare;
 - l. By June 28, 2006, conducted a multi-point calibration on the Poly Butadiene unit flare analyzer;
 - m. On April 16, 2007, submitted an update for Federal Operating Permit ("FOP") O-02177 to include Emission Point Number ("EPN") MPBDM3219;
 - n. By October 27, 2005, conducted sampling and gathered information to completely document the VOC water separator exemption criteria;
 - o. By February 19, 2006, repaired the leaking valve that had been on the schedule for repair during the December 22, 2005 to February 1, 2006 shutdown;
 - p. Revised FOP O-02178 on April 3, 2006, to include Permits by Rule ("PBR") claimed during the year 2000;
 - q. Removed the vent condenser on tank TK-2810 and rerouted emissions to the IPOH Flare on April 27, 2007 and authorized those emissions via PBR;
 - r. Completed the installation of rupture discs and pressure gauges on three safety relief valves (EPN F28E00) in the Styrene Maleic Anhydride Unit by February 17, 2006;
 - s. Submitted a request to the TCEQ on September 20, 2006 to amend New Source Review Permit ("NSRP") 24677 to address emissions and representations for Tote EPN 28E37;
 - t. Obtained an alteration to NSRP No. 24677 on December 6, 2005 that allows closed purge cumene sampling;
 - u. Provided for additional personnel oversight of Heater MSMHT2801B's fuel flow continuous recorder by September 18, 2006; and
 - v. Replaced the filter on Dust Collector EPN28E29 on August 15, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to demonstrate the use of a continuous monitoring recorder on the Methanol Skid (ECULR2MEOH), in violation of FOP O-02181, Special Terms and Conditions ("STC"), 1.A., 30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.127(b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent was required to continuously monitor the emissions control device for the Skid with a recorder, but the Respondent reported that the records from July 11, 2005 through September 17, 2005 were discarded.
2. Failed to perform daily inspections of the fuel dispensing facilities, in violation of FOP O-02181, STC 6.C.iv., 30 TEX. ADMIN. CODE §§ 115.244 and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that, from March 3 through March 5, 2006, it failed to perform the required daily inspections of the Stage II vapor recovery system for defects.
3. Failed to provide proper emissions control for waste material, in violation of FOP O-02181, STC 1.A. and 6.B.ii., 30 TEX. ADMIN. CODE §§ 115.212(a)(3)(A)(ii) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that, twice on February 27, once on August 27, 2006, it placed VOC liquids, residuals from a transport vessel transfer operation, into portable containers that were not vapor-tight.
4. Failed to comply with restrictions on engine operating hours in an ozone nonattainment area, in violation of FOP O-02181, STC 1.A. and 7.A., 30 TEX. ADMIN. CODE §§ 117.206(i) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that, on four occasions from October 19 through November 9, 2005, it conducted testing or maintenance on two diesel engines (EUTP803A and EUTP803B) during the restricted hours of 6 a.m. to noon.
5. Failed to record the start and stop times of a diesel engine operating in an ozone nonattainment area, in violation of FOP O-02181, STC 1.A. and 7.E., 30 TEX. ADMIN. CODE §§ 117.219(f)(10) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that it failed to record those times on November 17, 2005 for diesel pump EUTEN1.
6. Failed to demonstrate VOC reduction efficiency for the ECUABEAST bio-treatment unit, in violation of FOP O-02181, STC 1.A., 30 TEX. ADMIN. CODE § 115.144(4)(A), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, this unit was in operation since 1997, and was required to have its reduction efficiency demonstrated by December 31, 2002, but the Respondent failed to make that demonstration.
7. Failed to timely conduct flare analyzer calibrations, in violation of 30 TEX. ADMIN. CODE § 115.725(d)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an

investigation conducted on January 29, 2007. Specifically, the Respondent reported that it was required to perform initial flare analyzer calibrations on Flares 607 and 1701 (highly reactive volatile organic compounds abatement devices) by January 1, 2006, but did not perform those calibrations until June 16, 2006.

8. Failed to comply with the requirements of malfunction reporting for the wastewater steam stripper (EUTT8802), in violation of 40 CFR § 63.10(d)(5)(i), TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, in its report for the period April 1 to September 30, 2006, the Respondent reported that, on June 25, 2006, and between July 17 and August 7, 2006, seven stripper column malfunctions occurred. However, the Respondent failed to state the cause of the malfunctions and failed to state what actions were taken to minimize emissions.
9. Failed to equip open-ended lines with a cap, blind flange, plug, or a second valve, in violation of FOP O-02181, STC 1.A. and 22., NSRP 2128, Special Condition ("SC") 8.E., 30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 115.352(4), 116.115(c), and 122.143(4), 40 CFR §§ 60.482-6(a)(2) and 63.167(a)(1), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that it found the following noncompliant, open-ended lines: one on the main flare header, three on other lines in VOC service, and eight others on lines in hazardous air pollutant service. These were found on November 15, 2005, February 13, 2006, and August 27, 2006, respectively, and all were provided with caps or plugs within a day of their discovery.
10. Failed to cap four open-ended lines, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 8.E., FOP O-02177, STC 1.A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, the Respondent discovered 3 open-ended lines on January 12, 2006, and 1 open-ended line on March 27, 2006.
11. Failed to operate the flare within the required heat input of 300 Btu/scf, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 6.A., FOP O-02177, STC 1.A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, the heat content of the combusted gas in the Poly Butadiene unit flare fell below 300 Btu/scf for six minutes on November 30, 2005, twenty-two minutes on October 21, 2005, one minute on March 6, 2006, and two minutes on June 11, 2006.
12. Failed to report corrective actions within the required time frame, in violation of 30 TEX. ADMIN. CODE §§ 115.726(d)(3) and 122.143(4), FOP O-02177, STC 1.J.(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, the Respondent failed to complete Highly Reactive Volatile Organic Compound ("HRVOC") corrective action reports for the Poly Butadiene unit flare within the required time frame on six occasions from March 29 to July 18, 2006.
13. Failed to calibrate the Poly Butadiene unit flare analyzer, in violation of 30 TEX. ADMIN. CODE §§ 115.725(d)(2) and 122.143(4), FOP O-02177, STC No. 1J(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, the Respondent failed to conduct initial and first quarter multipoint calibration of the flare analyzer for HRVOCs from January 1 to June 28, 2006.

14. Failed to obtain authorization for emissions sources and their associated emissions prior to operation, in violation of 30 TEX. ADMIN. CODE § 122.121 and TEX. HEALTH & SAFETY CODE §§ 382.085(b) and 382.054, as documented during an investigation on December 13, 2006. Specifically, EPN MPBDM3219 had been operating but was misrepresented in FOP O-02177 in an incorrect location.
15. Failed to comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), NSRP 49120, SC 1., FOP O-02177, STC 10., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, emissions for the year 2005 at the Mid API Separator (EPN 32E06) were 4.6 tons of VOC. The authorized emissions limit for emissions under the permit is 2.2 tons per year.
16. Failed to maintain sufficient records to demonstrate continuous compliance with VOC water separator exemption criteria, in violation of 30 TEX. ADMIN. CODE §§ 115.136(a)(1) and 122.143(4), FOP O-02177, STC 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006.
17. The Respondent failed to repair a leaking valve during a scheduled shutdown, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSRP 22779, SC 8.I., FOP O-02177, STC 1. A. and 10., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation on December 13, 2006. Specifically, the Respondent failed to make scheduled repairs of a valve during the scheduled shutdown from December 22, 2005 through February 1, 2006.
18. Failed to include PBR claims in a FOP, in violation of FOP O-02178, General Terms and Conditions, 30 TEX. ADMIN. CODE § 122.132(a), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that it failed to include the following Unit ID numbers, authorized under PBR during the year 2000, in its FOP: MSMTK2804A, MSMTK2804B, MSMTK2812, MSMTK2801, MSMTK2803, MSMTK2811, MSMTK2802, MSMDM2801, MSMDM2805, MSMDM2802, MSMTK2824, and MSMTFG.
19. Exceeded permitted emissions limits for tank TK-2810, in violation of FOP O-02178, STC, 1.A. and 10., NSRP 24677, SC 1., 30 TEX. ADMIN. CODE §§ 115.112(a)(3), 116.115(c), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the permit limits VOC emissions from that tank to 0.04 pounds per hour ("lbs/hr") and less than 0.01 tons per year ("tpy"), but the Respondent reported the VOC emissions from the tank at 4.2 lbs/hr and 14 tpy since July 15, 2005. In addition, the Respondent reported that it had failed to achieve the required 90% control efficiency on the vent condenser on that tank.
20. Failed to install rupture discs and pressure gauges on three safety relief valves (EPN F28E00) in the Styrene Maleic Anhydride Unit, in violation of FOP O-02178, STC 10., NSRP 24677, SC 11.F. and 13., 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007.
21. Failed to accurately represent operating temperatures for tote EPN 28E37 in the permit representations, in violation of FOP O-02178, STC 10., 30 TEX. ADMIN. CODE §§ 116.116(b)(1) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an

investigation conducted on January 29, 2007. Specifically, subsequent to the permit representation of the tote's temperature, the Respondent elected to represent a higher temperature without amending the permit.

22. Failed to perform closed loop cumene sampling, in violation of FOP O-02178, STC 10., NSRP 24677, SC 9.C., 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the permit requires closed loop sampling, and on six occasions from July 20, 2005 through December 5, 2005, the Respondent reported it did not perform closed loop sampling.
23. Failed to maintain continuous records of fuel flow for Heater MSMHT2801B, in violation of FOP O-02178, STC 1.A., 30 TEX. ADMIN. CODE §§ 117.213(a) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, on April 8 and 9, 2006, the Respondent reported that the record of flow was not kept for fifteen 15-minute periods.
24. Failed to prevent visible emissions from Dust Collector EPN28E29, in violation of FOP O-02178, STC 3., 30 TEX. ADMIN. CODE §§ 111.111(a)(1)(B) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 29, 2007. Specifically, the Respondent reported that the dust collector experienced 100% opacity for approximately ten minutes on August 15, 2006.

III. DENIALS

The Respondent generally denies each allegation in the Allegations.

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2007-0493-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I above, Ninety-One Thousand Four Hundred Eighty-Nine Dollars (\$91,489) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent, shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit a corrected malfunction report for the seven wastewater steam stripper (EUTT8802) malfunctions that occurred on June 25, 2006, and between July 17 and August 7, 2006;
 - b. Within 30 days after the effective date of this Agreed Order, either obtain authorization to increase emissions from tote EPN 28E37, or cease unauthorized emissions from that tote until such time that appropriate authorization is obtained;
 - c. Within 30 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices that address the root cause of the failure to control visible emissions from Dust Collector EPN28E29; and
 - d. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a. through 3.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:


Air Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

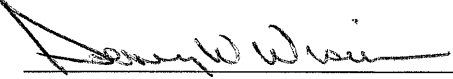
4/6/2008
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

3/25/2008
Date

Denny W. Wiseman

Name (Printed or typed)
Authorized Representative of
Equistar Chemicals, LP

Plant Manager

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2007-0493-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Equistar Chemicals, LP

Payable Penalty Amount: One Hundred Eighty-Two Thousand Nine Hundred Seventy-Eight Dollars (\$182,978)

SEP Amount: Ninety-One Thousand Four Hundred Eighty-Nine Dollars (\$91,489)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Equistar Chemicals, LP
Agreed Order – Attachment A

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

